Seeking Reconciliation Without Capitulation: The History of Justification in Lutheran-Roman Catholic Dialogue

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by

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Introduction

In 1999, the Pontifical Council for Promoting Christian Unity and the Lutheran World Federation claimed to have reached a "high degree of agreement" on the doctrine of justification with the signing of the Joint Declaration on the Doctrine of Justification.[1] Catholics and Lutherans, the document claimed, could "articulate a common understanding" of justification that "encompass[es] a consensus on basic truths of the doctrine" (*JD* §5). So great was this agreement on justification, which was of "central importance" to the Protestant Reformation of the sixteenth century, that the Joint Declaration declared that the "remaining differences" between the communions' understanding of justification are today "no longer the occasion for doctrinal condemnations (*JD* §1,5)." The anathemas and condemnations relating to justification that the two churches issued during the sixteenth century are no longer considered to apply to the two communions' understanding of justification today. The Joint Declaration claims that

> the doctrinal condemnations of the 16th century, in so far as they relate to the doctrine of justification, appear in a new light: The teaching of the Lutheran churches presented in this Declaration does not fall under the condemnations from the Council of Trent. The condemnations in the Lutheran Confessions do not apply to the teaching of the Roman Catholic Church presented in this Declaration (*JD* §41).

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[1] Lutheran World Federation and Catholic Church, *Joint Declaration on the Doctrine of Justification*, (Grand Rapids: Eerdmans, 2000), §4. Henceforth I will refer to the Joint Declaration (*JD*) parenthetically in the text.

It is important to note that the Joint Declaration did not repeal or rescind the sixteenth-century condemnations concerning justification; they remain "salutary warnings," in the agreement's words (*JD* §42). Rather, the agreement dictates that, in the judgment of the present parties, the two communions do not today confess that which was condemned by the Reformation-era statements. In doing so, the Joint Declaration seemingly evaporated the theological conflict at the center of the Reformation, by declaring the instrumental cause of division, mutual condemnations, to be inapplicable. It appeared as though that justification was suddenly no longer a church-diving issue and that the disagreement so central to the Reformation schism had been successfully repaired.

This, however, was not the first time Lutherans and Catholics had claimed to achieved agreement on the theology of justification. An earlier agreement occurred at the height of the Reformation itself. Even while the doctrinal differences between the Catholic Church and the Lutheran movement were still being solidified, several meetings between Catholic and Lutheran representatives attempted to reconcile the schism. Particularly notable amongst these meetings was the Colloquy of Regensburg in 1541, which found agreement on justification in Article V. The Papal legate at Regensburg, Gasparo Contarini, advocated the agreement, calling its conclusions "most true" and highlighted its similarities to St. Augustine's theology.[2] John Calvin also spoke highly of the agreement, claiming that "[n]othing is to be found in it which does not stand in our [Protestant] writings."[3]

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[2] Gasparo Contarini, "Letter on the Regensburg Agreement," in *Zeitschrift für Kirchengeschichte* (Kohlhammer, 1882), https://ratisbon.files.wordpress.com/2009/05/contarini1_english.pdf.

[3] Peter Matheson, *Cardinal Contarini at Regensburg* (Oxford: Clarendon, 1972), 109.

The results of this agreement seemed no less astonishing to Christendom than those from the Joint Declaration. Peter Matheson dramatically described the reaction:

> The incredulity was, after all, understandable. Wittenberg and Rome had now been at odds for two decades. Those who had been young men when the struggle had begun had now lived under the shadow of the schism for the best part of their lives. Those who were now young had never known anything but schism… [The schism] had become something self-evident, a part of the fabric of life…Was it now to be upset overnight by the confabulations of a few theologians?[4]

Article V from Regensburg may have been an even more shocking resolution than the Joint Declaration, for the former agreement could have paved the way for full reconciliation between the two communions, as the schism was still comparatively young. The Joint Declaration is arguably less ambitious in this regard because it explicitly recognized that multiple church-dividing issues exist beyond justification.

Despite the similar goal of reconciling Lutheran and Catholic ideas of justification that the writers of the two documents shared, the reception of these two agreements were radically different. The Joint Declaration received approval from the Lutheran World Federation and was accepted by the Catholic Church after consultations between the Pontifical Council for Promoting Christian Unity and the Congregation for The Doctrine of the Faith; it received Papal

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[4] Matheson, *Contarini*, 109.

blessing also.[5] In contrast, following the agreement on Article V, the meeting at Regensburg fell apart when addressing other issues.[6] Article V was never officially received by the Catholic Church, and Cardinal Contarini fell out of favor in the Curia.[7] Martin Luther rejected the agreement on justification also, criticizing it as a work of theological patchwork, in which the Lutheran and Catholic positions had been "thrown together and glued together" without being actually reconciled.[8]

Historians and theologians have seen these two documents as analogous. A diversity of writers from both Catholic and Protestant backgrounds have considered them in tandem, including Anthony Lane, Christopher Malloy, Jakob Rinderknecht, and Chris Castaldo.[9] Castaldo wondered if it were possible for "contemporary Catholics to read the JDDJ in some degree of continuity with Regensburg."[10] Malloy was more specific in suggesting that both Regensburg and the Joint Declaration feature a "juxtaposition of forgiveness and renewal," two key elements to the discussion surrounding justification.[11] If one reads the two documents as perfectly analogous, the temptation is to understand them as theological benchmarks to identify

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[5] Jakob Rinderknecht, *Mapping The Differentiated Consensus Of The Joint Declaration* (Cham: Palgrave Macmillan, 2016), 20.

[6] Matheson, *Contarini*, 122.

[7] Anthony Lane, *Justification by Faith in Catholic-Protestant Dialogue: An Evangelical Assessment*, (New York: T&T Clark, 2002), 53.

[8] Ibid.

[9] Lane, *Evangelical Assessment*, 165; Christopher Malloy, *Engrafted into Christ: A Critique of the Joint Declaration* (New York: Peter Lang, 2005), 228; Rinderknecht, *Differentiated Consensus,* 157; Chris Castaldo, "Is the Reformation over?," *Religious News Service*, October 30th, 2017, http://religionnews.com/2017/10/30/is-the-reformation-over/.

[10] Castaldo, "Reformation over?."

[11] Malloy, *Engrafted*, 228.

theological convergence. One might argue that, because Regensburg and the Joint Declaration are so similar, the rejection of the former and acceptance of the later definitively indicates that Lutheran and Catholic theology has changed such that they now have a unanimous doctrine of justification.

This essay will assess the degree to which Article V of the Regensburg Colloquy and the Joint Declaration on the Doctrine of Justification are actually analogous documents. Additionally, it considers the extent to which the reading of the two documents as "benchmarks of theological convergence" is an appropriate conclusion. The answer is two-pronged. Firstly, Regensburg and the Joint Declaration are only partially congruous documents due to their dissimilar theologies. The Joint Declaration, rather than sacrificing the traditional theological expressions of the two communions, incorporated them into a broader, mutually-acceptable vision of justification. Regensburg's method was different in that it negotiated the different Protestant and Catholics claims about justification, and ultimately favored the Lutheran interpretation. Secondly, the historical circumstances that produced the two documents were entirely different. Where Regensburg was doomed by the conflicting strategic interests of the Reformation, the Joint Declaration came out of a twentieth century filled with renewed interest in ecumenicism and dialogue. This second point in particular problematizes the reading of the reception of the two documents as benchmarks of convergence, for the decisions of church leaders to accept or reject the documents reflect markedly different theological contexts.

While Joint Declaration and Regensburg are not perfectly analogous and cannot perfectly evidence substantive theological convergence on justification, they do indeed show how base assumptions about religion and doctrine have functioned. Specifically, the prominence of a

cultural-linguistic understanding of religion is evidenced by the Joint Declaration, where such a pattern of thought was utterly absent in the Regensburg text and in that period as a whole.

Reading the dialogues surrounding the doctrine of justification is especially useful because this doctrine has traditionally been considered the crux of difference between the two churches. Consequently, a change in the place of justification in Western Christianity could likely facilitate a chance in interdenominational relationships. Comparing the Article V of the Regensburg Colloquy, the Joint Declaration on the Doctrine of Justification and their histories would not merely yield amusing historical parallels, but would reveal where the two communions are today, the extent to which the spark of the Reformation continues to divide them, and the prospects of future ecumenical progress. Upon the 500th anniversary of the Reformation in western Christianity, it is worthwhile to reexamine if and how its sources perpetuate schism today.

Defining Justification

The phrases 'justification' and 'righteousness' are semantically related, *iustificatio* and *iustitia* respectively in Latin.[12] They likewise occupy a common theological space and are often used interchangeably within theological works. It would be appropriate to describe justification as "making righteous" and righteousness as something's "justified-ness." These two phrases will be used in tandem throughout this essay.

Justification is essentially a description of the economy of salvation, an outlining of how humans are saved or participate in salvation. Christian tradition holds that, prior to justification,

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[12] Alister McGrath, *Iustitia Dei: A History of the Christian Doctrine of Justification* (Cambridge: Cambridge University Press, 2005), 6.

humans are unrighteous and unjust because of sin, and are regarded as such by God. They act wrongly and commit sins. Their sin is imputed to them; they are regarded as guilty of it. God is righteous and just. He punishes sin and unrighteousness. Humans in this state are deserving of the full weight of God's punishment because of their guilt and sin. They are at odds with God and his will and are thus considered to be His enemies. Humans are unacceptable to God in this state. They do not receive salvation and the things associated with it, such as eternal life. Additionally, on their own power, they have no means by which to change their situation. They are powerless to relieve themselves of the guilt of their sin or to avoid God's punishment on their own. By the salvific work of Jesus Christ, however, human beings enter into a different state. Their sin is no longer imputed to them; they are no longer considered guilty of it. Because their sins are not counted towards them, they are considered righteous. They are no longer subject to the divine punishment that sin warrants. God no longer regards them as enemies. Humans, in this latter state, are acceptable to God. They receive salvation and the things of salvation; they enter into eternal life and are children of God. Faith is involved in this new situation.

Christians have disagreed over how broadly to understand justification. In the narrowest sense, justification is how the human enters the latter state from the former. This is the view most commonly associated with the Lutheran movement. As result of this narrow definition, justification is sometimes regarded as an act that occurs in a single moment and is occasionally referred to as the instant in which the human passes from death to life. Those who subscribe to the narrow definition of justification may even reduce the language of justification to merely the remission of sins. In this view, the forgiveness of sins is typically the paramount factor in justification.

Others more broadly define justification to include the life of the Christian in this latter situation. The moral improvement, increase in Christian habits, and avoidance of sin in life maybe also be included into the definition of justification or at least associated with it. The Roman Catholic Church has traditionally been associated with this understanding of justification. In this view, there may be a moment of justification, but justification is generally regarded as a process by which the individual's new righteousness might be increase or sustained. Justification, in this understanding, includes not only the individual being considered righteous by God, but also their real embodying of this righteousness.

These definitions of justification derive from a different understanding of the righteousness given to the human. Indeed, these two different conceptions of righteousness are paramount to the differences in justifications between Catholics and Lutherans. For Lutherans, the righteousness that humans have is an imputed righteousness, something that is assigned to the human. The righteousness of Christ belongs to the Christian in that it is reckoned by God to be theirs. Important in this this conception is God's declaration of the human's righteousness. Because the human has been given Christ's righteousness, God no longer counts the human's sins to them, rather He sees Christ's own righteousness in looking at the Christian, and consequently declares the human righteous. God's declaration of righteousness is a forensic, legal sort of righteousness. Here, a special emphasis is placed on the individual's account or standing before God, which is distinct from the lived existence of the individual in the world. Though most Lutherans would affirm that Christians are charged to and divinely empowered to pursue Christlikeness in their life, their justification is not dependent upon it. The distinction (though not necessarily a separation) between God's declarations of the individual's

righteousness and the extent to which the "really" embody that righteousness in their life is a characterizing aspect of Lutheran (and much, but not all, Protestant) thought.

The Lutheran conception of the Christian's righteousness is often spoken of as an "alien righteousness." The righteousness is alien in that the Christian does not, strictly speaking, possess it. It remains Christ's righteousness that is assigned to them. It is not sustained or increased by the Christian's effort or morality, but its existence is totally dependent upon Christ's declarations about the individual. In addressing sin, Lutherans emphasize the forgiveness of sins. The converse of being imputed righteousness is the remission of sins; in having Christ's righteousness credited to them, the individual's sin is no longer assigned to them. Indeed, many Lutheran discussions on justification refer chiefly to the forgiveness of sins as the content of the doctrine. In outlining justification, the Formula of Concord, a key Lutheran confessional text, claims that "righteousness before God" comes about firstly in that "God forgives us our sins" and secondly in that "He presents and imputes to us the righteousness of Christ's obedience."[13] The positive and negative aspects of Lutheran justification, the imputation of righteousness and remission of sins, are both apparent here. Because Christ's righteousness is imputed to the person and does not actually change him or her, Lutherans can say that the Christian is *simul iustus et peccator*, that is, at the same righteous and a sinner.

The Catholic Church has traditionally defined the Christian's righteousness differently than Lutherans. The righteousness that Christian's receive in justification is an infused righteousness that inheres in the Christian. The Council of Trent explains that

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13 "The Epitome of the Formula of Concord," *The Book of Concord: The Confessions of the Lutheran Church,* accessed January 8th, 2018, http://bookofconcord.org/fc-ep.php, III, II.

> the alone formal cause [of justification] is the justice of God, not that whereby He Himself is just, but that whereby He maketh us just, that, to wit, with which we being endowed by Him, are renewed in the spirit of our mind, and we are not only reputed, but are truly called, and are, just.[14]

While the precise understanding of "formal cause" has been subject to much debate, it is clear here that the righteousness given to the Christian exists within them in a way quite different than the "alien righteousness" asserted by some Lutherans. The righteousness that the Christian has is not merely accounted to them, but actually is theirs in the sense that affects the very manner in which they live. This justice necessarily brings about an interior renewal and life change. Trent attests to the necessity of renewal elsewhere in referring to justification as "grace and charity … poured forth" in the Christian's heart.[15] For Catholics, this righteousness primarily changes the human's sinfulness, where Lutherans imagine Christ's righteousness as primarily covering their sinfulness. While the Christian is indeed "called" and "reputed" to be righteous by God, this pronouncement is based on the existence of internal, infused righteousness, not Christ's righteousness merely being assigned to them. The essential concern for Catholics responding to Lutheran thought is that Lutherans turn God's pronouncements into legal fictions; the Christian cannot be called just if he or she is not "really" just.

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[14] "Decree on Justification" in *The Council of Trent: The Canons and Decrees of the Sacred and Ecumenical Council of Trent,* ed. and trans. J. Waterworth (London: Dolman, 1848), https://history.hanover.edu/texts/trent/ct06.html, Ch. VII. Hereafter, *CT*.

[15] Ibid., Canon XI.

Where a distinction between justification and sanctification exists within Lutheran thought, Catholics unite forgiveness and renewal. The forgiveness and remissions of sins is still affirmed and celebrated, but justification, for Catholics, can never be reduced to only this. The Catechism of the Catholic Church unites forgiveness with other aspects of justification in claiming that "justification includes the remission of sins, sanctification, and the renewal of the inner man."[16] Canon 11 of Trent's session on justification does indeed affirm "imputation" and the "remission of sins," but condemns those who claim that justification occurs solely on the basis of these two, to the exclusion of "grace and charity."[17] Thus, for Catholics, Christians are indeed called righteous, but this occurs because they are indeed becoming righteous through the grace God infuses in them.

The divergent explanations of justification between the two communions are rooted in divergent conceptions of the righteousness given to the individual. For Catholics, justifying righteousness is an infused, inhering righteousness that necessarily changes the lifestyle of the Christian. For Lutherans, the righteousness that justifies is a declarative, imputed righteousness dependent on God's pronouncement about the Christian's status. The historical polemics between the groups derive from these conceptions of justification, with Lutherans accusing Catholics of preaching a works righteousness in which the sinner must earn their salvation by their deeds, while Catholics criticize the Lutheran's righteousness as essentially a dead letter that does not produce any change in the individual. Similarly, attempts at ecumenical resolution have attempted to reconcile these competing definitions of righteousness. The manner in which the

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[16] *Catechism of the Catholic Church* (Boston: United States Catholic Conference, 1994.) [2019]. Hereafter, CCC.

[17] *CT* Canon XI.

Regensburg Colloquy and the Joint Declaration dealt with these two will be the focus of the coming section.

History of the Joint Declaration

The Joint Declaration was not an entirely unexpected development, but was instead the culmination of decades of ecumenical work. The starting point of this new ecumenical movement can be traced back to the Second Vatican Council, in particular the council's decree on ecumenism, *Unitatis Redintegratio*. Though the decree spoke broadly on the Catholic Church's relationships to a diversity of other Christian communities, relations within Western Christianity achieved particular mention.[18] During Vatican II, the World Lutheran Federation met for its 4th Assembly in Helsinki in 1963. A study piece, called "On Justification," was used during this Assembly and contained early signs of renewed interest in conversation with Rome on justification. This document claimed that modern Lutherans "cannot today casually dismiss the theological teaching of the Roman church as patently false, unbiblical and unevangelical," and recommended critical analysis of the Protestant Reformers, asserting that Lutherans cannot merely "take it for granted that the Reformers were right and their opponents totally wrong."[19] These two documents suggest that the mid-1960s are a useful starting point of the modern Catholic-Lutheran ecumenical movement.

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[18] Second Vatican Council, *Decree On Ecumenism: Unitas Redintegratio*, vatican.va, accessed February 3, 2018, http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decree_19641121_unitatis-redintegratio_en.html, §3.2.

[19] Commission on Theology of the Lutheran World Federation, *On Justification* (Helsinki: Lutheran World Federation, 1963), 6.

Early dialogues between Catholics and Lutherans took place under the leadership of the Lutheran/Roman Catholic Study Commission, composed of representatives chosen by the Secretariat for Promoting Christian Unity (forerunner of the PCPCU) and the Executive Committee of the LWF.[20] In 1972, this commission produced a report entitled "The Gospel and The Church," which was typically referred to as the "Malta Report." This document was limited in scope, referring to itself as essentially a "recommendation for thorough study" with "no binding character for the churches."[21] This document attested to "a far-reaching consensus … developing in the interpretation of justification," identified the traditional theological paradigms of the two bodies, and also claimed that the justification was not strictly limited to these formulations and could be expressed variously.[22]

The 1980s saw multiple regional dialogues produce results. In the United States a new document, "Justification by Faith," was published in 1983 and sought to articulate further a common statement on justification that would be acceptable to both communion.[23] Meanwhile, the German Ecumenical Working Group released produced a particularly controversial study: "Lehrverurteilungen—Kirchentrennend?" This document questioned the degree to which Reformation-era condemnations on justification still applied to today and were church-dividing.[24] These two documents are especially important because their respective goals,

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[20] Joint Lutheran - Roman Catholic Study Commission, "The Gospel and the Church" (Rome and Geneva, 1972), http://www.prounione.urbe.it/dia-int/l-rc/doc/e_l-rc_malta.html.

[21] Ibid.

[22] Ibid.

[23] Rinderknecht, *Differentiated Consensus,*13.

[24] Ibid.

expressing a common statement and addressing official condemnations, were what the Joint Declaration sought to accomplish.

The writers of the Joint Declaration were concerned less with producing an innovative new agreement, but rather with consolidating the accomplishments of previous twentieth-century ecumenical dialogues: they claimed that part of the new document's purpose was to "to take stock and to summarize the results of the [preceding] dialogues" (*JD* §4). This entailed officially addressing the applicability of the sixteenth-century anathemas to the two modern communions. Catholic Deacon Chris Baumann, speaking for the United States Catholic Conference, referenced this goal in a 1993 statement, hoping that a new round of dialogue would produce a "declaration that some of the Reformation-era condemnations are not valid today."[25]

While initial enthusiasm for the project was sparked by the newly-formed ELCA, it was broadened to involve the entire Lutheran World Federation in 1993.[26] A joint commission was formed after the Pontifical Council for Promoting Christian Unity also agreed to participate. A fourth draft from 1997 eventually won approval as the final text. The review process of these drafts occurred differently between the two communions: the LWF submitted texts to its member churches for consideration, while the PCPCU consulted with the Congregation for the Doctrine of Faith and episcopal conferences.[27]

Amongst Lutherans, there was some minor resistance to the final draft. 141 German Protestant theology professors derided the proposed text in *Frankfurter Allgemeine Zeitung*,

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[25] Chris Baumann, "Official Lutheran-Roman Catholic Dialogue of 27 Years to Continue," (93-028, Office of Media Relations of United States Catholic Conference: Washington, 1993), 1.

[26] Rinderknecht, *Differentiated Consensus*, 16.

[27] Ibid., 17.

critiquing the Joint Declaration for its failure to clearly affirm the assurance of salvation, its ambiguity on the relationship between law and gospel, and the lack of a Catholic recognition that Lutheran groups were really, truly churches.[28] Additionally, non-LWF Lutheran churches took issue with the Joint Declaration, especially the Lutheran Church - Missouri Synod. The LC-MS found the Joint Declaration's method of developing a differentiated consensus (recognizing the mutual validity of multiple formulations, language, and explanations of a similar phenomenon) to be particularly troubling. In the official response, "The Joint Declaration on the Doctrine of Justification in Confessional Lutheran Perspective," the LC-MS response suggested that the agreement on justification was invalidated as long as disagreements involving Marian devotion, indulgences, purgatory and the authority of the papacy "remain[ed] unsettled."[29] Despite these critiques, the Joint Declaration received a generally positive reception from LWF member churches, and was overwhelmingly approved with 80 of the 89 voting churches giving affirmative responses.[30]

The Catholic reception of the Joint Declaration was not so smooth, however. The PCPCU and the Congregation of the Doctrine of the Faith jointly released the Official Catholic Response to the Joint Declaration. This response lamented the Joint Declaration's handling of the topic of sin in the justified, the importance of the doctrine of justification, and ambiguity on the

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[28] Rinderknecht, *Differentiated Consensus*, 17,18.

[29] Commission on Theology and Church Relations, "A Summary of the Seminary Evaluations," in *The Joint Declaration on The Doctrine of Justification in Confessional Lutheran Perspective* (St. Louis: The Lutheran Church - Missouri Synod, 1999), 9.

[30] Rinderknecht, *Differentiated Consensus*, 18.

sacrament of penance.[31] This response questioned the landmark claim made by the Joint Declaration that Lutheran teachings on justification "no longer incur the condemnations of the Council of Trent."[32] The Lutheran formulation of *simul iustus et peccator* was identified as the foremost point unacceptable to Catholic orthodoxy. Furthermore, the response questioned the "real authority" of the LWF's "synodal consensus" procedure, in which member churches voted to approve ecumenical agreements.[33] This point in particular was seen as a slight towards the LWF because it questioned its legitimacy in leading the Lutheran movement. This response was met with disappointment from LWF officials.[34]

Though there was no democratic process by which most Catholics could formally challenge the approval of the Joint Declaration as there was in the Lutheran World Federation, some expressed dissent through other channels. Cardinal Avery Dulles was hesitant to fully embrace the consensus reached by the Joint Declaration, preferring to refer to the remaining differences on justification as "tolerable" rather than "acceptable."[35] Catholic professor of theology Christopher Malloy offered an extensive review of the agreement in *Engrafted into Christ: A Critique of the Joint Declaration*. Malloy not only argued that the Joint Declaration failed to resolve the central conflict in the debate on justification, but suggested also that the

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[31] Congregation for the Doctrine of the Faith and the Pontifical Council for Promoting Christian Unity, *Official Catholic Response*, vatican.va, accessed January 30th, 2018, http://www.vatican.va/roman_curia/pontifical_councils/chrstuni/documents/rc_pc_chrstuni_doc_01081998_off-answer-catholic_en.html §1-4. Hereafter, *OCR.*

[32] Ibid., §5.

[33] Ibid., §6.

[34] Rinderknecht, *Differentiated Consensus*, 19.

[35] Avery Dulles, "Justification and the Unity of the Church," in *The Gospel of Justification in Christ: Where Does the Church Stand Today?*, ed. Wayne C. Stumme (Grand Rapids: William B. Eerdmans, 2006), 127.

nature of the agreement was ultimately non-binding on Catholics. In his view, the PCPCU is "not charged with doctrinal responsibility," and agreements and statements issued from this body are not exercises of magisterial authority.[36]

Following the issuing of the Official Catholic Response, new discussions and meetings occurred to produce an additional statement. In June 1999, the Annex was finalized as a joint Lutheran-Catholic statement that addressed the concerns mentioned in the Official Catholic Response.[37] The central claim of the Joint Declaration concerning the applicability of sixteenth-century condemnations was reaffirmed in saying that "the mutual condemnations of former times do not apply to the Catholic and Lutheran doctrines of justification as they are presented in the Joint Declaration."[38] Additionally, it defused the questions pertaining to the procedures of the LWF, stating that the Catholic Church did "not intend to put in question the authority of Lutheran Synods or of the Lutheran World Federation."[39] The Annex did not intend to replace or supersede the explanation of the Joint Declaration, but instead claimed that it "further substantiate[d]" the consensus of the Joint Declaration.[40] Lastly, an Official Common Statement was jointly signed, in which the LWF and Catholic Church formally approved the Joint Declaration and the attached

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[36] Malloy, *Engrafted*, 5.

[37] Lutheran World Federation and the Catholic Church, *Annex to the Official Common Statement*, vatican.va, accessed January 30th, 2018, http://www.vatican.va/roman_curia/pontifical_councils/chrstuni/documents/rc_pc_chrstuni_doc_31101999_cath-luth-annex_en.html.

[38] Ibid., §1.

[39] Ibid., §4.

[40] Lutheran World Federation and the Catholic Church, *Official Common Statement*, vatican.va, accessed January 30th, 2018, http://www.vatican.va/roman_curia/pontifical_councils/chrstuni/documents/rc_pc_chrstuni_doc_31101999_cath-luth-official-statement_en.html, §2.

Annex.[41] In a related press conference, Cardinal Edward Cassidy affirmed that the Official Common Statement and the Annex (and by extension the Joint Declaration) had received approval from the PCPCU and CDF and the blessings of Pope John Paul II.[42]

History of the Regensburg Colloquy

The Regensburg Colloquy was not so much an attempt to repair long-standing theological differences out of a spirit of ecumenism, though some involved were enthusiastic about religious reconciliation, but instead was more of an attempt to use religious accord as the basis of political stability. Unable to face the military threats abroad because of the division that the Reformation had sown in the German nobility, Holy Roman Emperor Charles V sought religious resolution to solidify his domestic strength. When Rome did not heed his calls for a General Council in a timely manner, Charles V planned colloquy meetings of his own, inviting German Catholics and Protestants.[43] If the Catholic Church would not provide a conciliar condemnation of the Protestants, Charles was willing to enter into dialogue with them to establish peace within the Empire. Though conferences at Hagenau and Worms were held in 1540 under Charles' direction, the diet at Regensburg was seen as climax of his efforts.[44]

At Regensburg, the Lutheran contingent consisted of Philipp Melanchthon, Martin Bucer, and Johann Pistorius, while Johann Eck, Johann Gropper, bishop Julius Pflug, and Cardinal

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[41] Lutheran World Federation and the Catholic Church, *Official Common Statement,* §2.

[42] Rinderknecht, *Differentiated Consensus*, 20.

[43] Matheson, *Contarini*, 13.

[44] Ibid., 21.

Contarini, acting as the papal legate, represented the Catholic Church.[45] Contarini was seen as particularly important to the dialogue because he was tasked with defending the papacy's interests, but was also enthusiastic about "reunion at the religious level."[46] During the colloquy at Worms, secret negotiations and discussions, particularly between Gropper and Bucer, produced the Regensburg Book, a document that was used as the basis of discussion at the Regensburg Colloquy.[47] The first several articles of the book concerning The Fall and Original Sin, while not fully satisfying to everyone, were accepted without serious debate.[48] Debates on justification opened on April 28th and lasted until May 2nd. Eck and Melanchthon suggested that the Regensburg Book be set aside entirely for this discussion, a suggestion that was approved by Charles' chancellor Granvelle, who presided over the conference.[49] The initial discussions were heated: both initial Lutheran and Catholic presentations on justification were rejected and Melanchthon advocated ending the colloquy altogether.[50] Gropper and Pflug allowed the Protestants the opportunity to edit the Catholic draft, however, resulting in a final text for Article V that was mutually acceptable.[51]

Despite some initial enthusiasm, as expressed by John Calvin above, the agreement failed to gain traction outside those gathered at Regensburg. Luther himself rejected the agreement as

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[45] Matheson, *Contarini*, 93.

[46] Ibid., 58.

[47] Ibid., 28, 101.

[48] Ibid., 15.

[49] Ibid., 106.

[50] Ibid., 106, 107.

[51] Ibid., 107.

ambiguous, calling it a "tacking together" of the two theologies without actually reconciling them.[52] Fredrich III, the Elector of Saxony and one of the most prominent figures amongst the German Protestant nobility, rejected the agreement for this same reason.[53] Despite vigorously defending the article in multiple letters, a dispatch from Rome criticized the document as unclear.[54] This letter went further, though, and chastised Contarini for his conduct at the conference, and it essentially constituted a "vote of no confidence" in his role as papal legate.[55] Suspicions soon arose questioning Contarini's own orthodoxy.[56] Not only was the agreement on justification subject to scrutiny, but it became unclear if the participants of the Regensburg Colloquy themselves were representative of their communions' views.

Meanwhile, the discussions themselves hit a roadblock. Article IX concerned the authority of the Church in regard to Scripture.[57] The Catholic position asserted the combined role of the Church and Scripture together as authoritative sources of doctrine, a position unacceptable to Melanchthon and the Protestants, who would not sacrifice *sola scriptura.*[58] This discussion was tabled in favor of the articles concerning the sacraments, but these too reached a deadlock when addressing transubstantiation.[59] The colloquy itself quickly unraveled and numerous

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[52] McGrath, *Iustitia Dei*, 315.

[53] Matheson, *Contarini*, 151.

[54] Ibid.,

[55] Ibid., 152, 153.

[56] Ibid., 177.

[57] Ibid., 115.

[58] Ibid., 116, 117.

[59] Ibid., 136.

articles were tabled, and agreements began to "obscure the real depth the differences" between the two parties.[60] The colloquy concluded on May 31, 1541.

Reading the Joint Declaration and Article V of the Regensburg Colloquy

The participants of the Regensburg Colloquy and those preparing the Joint Declaration were faced with a similar task of reconciling imputed and infused righteousness. On an initial reading, the two documents appear to have successfully done so. The theologians at Regensburg asserted that believers can be said to be justified in that they are "reckoned to be righteous" in receiving the "remission of sins" and on account of the "righteousness inherent" in them by which they are "washed" and "sanctified."[61] The writers of the Joint Declaration concisely united the two concepts, explaining that in justification "God forgives sin by grace and at the same time frees human beings from sin's enslaving power and imparts the gift of new life in Christ" (*JD* §22). The seemingly parallel problems facing the texts and their final products have often led scholars to consider them together: Christopher Malloy, for example, suggested that the two are similar in that they share a common "juxtaposition of forgiveness and renewal."[62]

If the problems facing the framers of these documents were so similar and the final texts both claimed to have successfully defused the issue, why then were they received so differently? The answer lies, in part, in the theologies of the two texts themselves. Despite the similarities in

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[60] Matheson, *Contarini*, 143.

[61] Anthony Lane, "Justification: Agreement in 1541 between Catholics and Protestants on Justification," *Mandate: The Bimonthly Magazine of the Prayer Book Society*, July/August 2007, §5.2, 4.2, 5.3, 5.1. Henceforth I will refer to Article V of the Regensburg Colloquy (*RC*) parenthetically in the text.

[62] Malloy, *Engrafted*, 228.

goals of the document, the actual manner in which they achieve them are not identical. Beyond the issue of reconciling imputed and imparted righteousness, the documents do not similarly handle the issues surrounding the nature of the righteousness in justification, such as the role of faith, the existence of human merit, the extent of human powerlessness, and the continued existence of sin within the life of the justified believer. These differences help to elucidate why the Regensburg agreement was so firmly rejected while the Joint Declaration was so warmly received.

Imputed and Imparted Righteousness

Though the phrase does not appear within the text itself, Regensburg implies a *duplex iustitia,* a double righteousness. This means that the believer can be said to be just in two senses: they are both forgiven, resulting in God's declaration of their righteousness, and they receive God's transforming love, resulting in their actions being righteous in the extent to which they act out of this love. This co-existence of two types of righteousness appears most explicitly in Regensburg's fifth section:

> And thus by faith in Christ we are justified or reckoned to be righteous, that is we are accepted through his merits and not on account of our own worthiness or works. And on account of the righteousness inherent in us we are said to be righteous, because the works which we perform are righteous (*RC* §5.2-5.3).

In this formulation, imputed and imparted righteousness continually exist together in the believer.

Contarini defended this concept of twofold righteousness at length. In his *Epistle on Justification*, Contarini explicitly defined this position by using the terminology typically associated with the Reformation debate on the doctrine. He claimed that "we attain to a twofold justice through faith: the justice … inherent in us ... by which we are made partakers of the divine nature; as well as the justice of Christ which to us is given and imputed, because we are grafted into Christ and have put on Christ."[63]

This explanation alone, however, does not solve the crux of the issue. While both Lutherans and Catholics would accept that believers are forgiven of their sins and are sanctified, the question remains on what grounds the Christian is considered acceptable to God. In other words, is imputed, declared righteousness or infused, transformative righteousness operative in God's final acceptance of the individual?

Here, Regensburg was emphatically clear. Though the believer is indeed renewed and has righteousness within them, "the faithful soul depends not on this" (*RC* §5.1). Instead, it is God's imputing of righteousness in which the Christian hopes. The preeminence of imputed righteous is the overwhelming refrain throughout much of the Regensburg text. That God's forgiving mercy is the operative of the two righteousnesses was most clearly expressed in section 4: "Nevertheless it remains true, that it is by this faith that we are justified … inasmuch as it appropriates the mercy and righteousness which is imputed to us on account of Christ and his merit, not on account of the worthiness or perfection of the righteousness imparted to us in

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63 Gasparo Contarini, "Epistle on Justification," in *Opera* (1571), https://ratisbon.files.wordpress.com/2009/05/contarini2_english.pdf, 6.

Christ" (*RC* §4.6). Thus, Regensburg's double righteousness should not be understood as regarding the two kinds equally. Though God's renewing work in the believer is elevated to the point of being called a "righteousness," it nevertheless plays a secondary role in Regensburg's soteriology. Indeed, the theologians present were happy to admit that this renewal is enduringly "imperfect" in earthly life and that "enormous weakness remains" in the believers (*RC* §6). While God's forgiveness "happens to no one unless also at the same time love is infused," the healed will can only "begin to fulfill the law," and imputed righteousness remains the operative of the two (*RC* §4.3).

The relationship between imputed and imparted righteousness that Regensburg outlined more resembles the Protestant position than the Catholic. While Lutherans would likely have hesitated to call the goodness that inheres in believers a "righteousness," the operative role of God's declaration of the believer's righteousness would have been very pleasing to Lutherans. The careful distinction (but not separation) that the Regensburg theologians made between God's forgiving acceptance and the inner renewal of the Christian's life is also a characteristic aspect of Reformation theology. That the Regensburg text was firmly more Protestant, so to speak, is evidenced also by the surprise with which the Protestants responded to its approval. As mentioned above, John Calvin wrote to his peers that they would "marvel" at document and confessed his own shock that the Catholic contingent had "conceded so much."[64] This firmly Protestant position of Regensburg (at least on this issue) helps to explain why Catholics rejected the document.

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[64] Matheson, *Contarini*, 109.

The Joint Declaration reconciles the Catholic and Lutheran positions differently. While it affirms that life renewal and forgiveness are “two aspects” of justification, they are not discussed as two competing visions of justification within the text, but are rather handled as two emphases or valid manners of explanation characteristic of the two communions (*JD* §22). The document makes a Biblical appeal to justify this method, explaining that the "good news is set forth in Holy Scripture in various ways” (*JD* §8). The structure of the Joint Declaration helps to illustrate further this approach. Section 4 of the Joint Declaration contains the most substantive explanations of the consensus on justification. Each subheading of this section begins with a common statement, followed by two paragraphs for the two parties, explaining how Catholics or Lutherans have historically tended to emphasize a certain aspect of justification. These two paragraphs continually assert that the Lutheran and Catholic tendencies are non-contradictory with each other nor with the common vision expressed in the first paragraph.

Thus, justification is not imagined by the writers of the Joint Declaration as a thing consisting of two parts (*duplex iustitia*), but rather as a single process that can be appropriately explained in two ways. While Regensburg formulated justification as the union of two kinds of righteousness, the Joint Declaration imagines justification as one dynamic, salvific phenomenon that can be (and has been) described variously. This method is further evidenced by the Joint Declarations’ Section 3 explaining a “Common Understanding of Justification” (*JD* §3). These paragraphs express a broad vision of “God’s saving action in Christ” with minimal reference to the Catholic and Lutheran differences (*JD* §17). Only then, in the subsequent section, are their traditional concerns of each group mentioned. The phrase “differentiated consensus” appropriately describes the final product of the Joint Declaration; Catholics and Lutherans

explicate the doctrine of Justification differently and emphasize particular aspects of it, but continually subscribe to a common vision.[65]

In developing its 'double righteousness' Regensburg carefully distinguished imputed and imparted righteousness and was clear in defining the relationship between the two of them. The Joint Declaration's differentiated consensus incorporates and entangles the two forms of righteousness into each other in presenting a broad vision of justification. This is both the Joint Declaration's strength and weakness. While a broad differentiated consensus is more mutually acceptable to the two communions, it suffers from a high degree of ambiguity identifying which is the operative. Some statements suggest the preeminence of God's imputed, forgiving righteousness. A Lutheran paragraph does this in asserting that justification is "not dependent on the life-renewing effects of grace in human beings" (*JD* §23). Statements such as this, however, exist beside others that suggest a more positive role of man's inner renewal in God's acceptance. In explaining good works as a result of inner renewal, a Catholic paragraph claims that "good works …contribute to growth in grace, so that the righteousness that comes from God is preserved" (*JD* §38).

Even when the document attempts to explicitly identify the relationship between imputed and infused righteousness, it does not really do so. In explaining the Lutheran emphases on the role of faith, it argues that "the basis is indicated from which the renewal of life proceeds, for it comes forth from the love of God imparted to the person in justification" (*JD* §36). It is unclear what "justification" is indicating here - the holistic vision of God's salvation or a specifically forensic, declarative sense of justification. The mention of imparted love is consistent with the

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[65] Rinderknecht, *Differentiated Consensus*, 4.

language surrounding the Catholic emphasis on God's renewal. Thus, it seems unlikely that "justification" here means forensic justification, and the whole sentence is unhelpful to the question at hand.

An assertion from the Catholic paragraph on the role of faith also seems to come close to answering the question of the relationship between imputed and imparted. In discussing the internal renewal that comes with justification, it claims that "this renewal in faith, hope, and love … contributes nothing to justification about which one could boast before God" (*JD* §27). If the infused righteousness of believers contributes nothing to justification, then imputed righteousness would seem to be the primary of the two. This conclusion cannot be reached, however, due to the final clause of this statement. The renewal contributes nothing "about which one could boast before God" (*JD* §27). This renewal may still contribute to justification, but would still be a result of grace, not a work about which someone could boast. Both Catholics and Lutherans understand renewal to be a result of grace. Thus, the ambiguity remains.

The first significant difference between Regensburg and the Joint Declaration is, then, the manner in which they reconcile the Lutheran and Catholic conceptions of justification. Though Malloy is not incorrect in saying that both documents juxtapose forgiveness with renewal, he fails to note that the manner in which they do so are distinctly different. The theologians at Regensburg brought imputed and imparted righteousness together in a double righteousness, and carefully defined the relationship between the two, giving the priority to God's forgiving declarations as the basis of the believer's acceptance. The Joint Declaration developed a differentiated consensus in which the traditional Catholic and Lutheran views were portrayed as non-conflicting emphases of a common vision of salvation. Many will find issue with the Joint

Declaration's "differentiated consensus" in that this method of reconciliation does not exhaustively answer all of the traditional questions associated with justification.

The Role of Faith

Similarly, the two documents are close, but not identical in addressing the role of faith in justification. Here Regensburg is the more ambiguous of the two. Though the theologians at Regensburg were quick to affirm that "the sinner is justified by living and efficacious faith," the sense in which faith is effective is unclear (*RC* §4.1). In addressing the question, Regensburg asserts that "the faith that truly justifies is that faith which is effectual through love" (*RC* §4.5). Which of the two is operative in causing justification, faith or love, is not specified. Does the mere presence of faith justify? Or does faith justify only in the sense that it is the vehicle for the active justifying agent, love?

Though Regensburg never explicitly outlines the relationship between faith and love, statements elsewhere in the text suggests that love is the primary agent. Section 5 argues that "it is by this faith that we are justified … inasmuch as it appropriates the mercy and righteousness" given by God (*RC* §6). Here faith is not merely the prerequisite of justification, but instead is active in grasping it. This grasping, however, does not appear to be an absolute hold of the fullness of righteousness; faith justifies only to the extent to which it appropriates righteousness. It is what faith does, not its mere presence, that is effectual in justification. In light of the earlier statement, claiming that faith is "effectual through love," it seems that love is faith's action (*RC* §4.5). Faith justifies because it loves. This point may be illustrated by analogy. The human hand takes hold of various things, but the hand grabs only when prompted by the human's intentions

and the will to grab. Similarly, faith justifies because it is prompted to do so and animated by love.

It is important to note that the critical role of love in this formulation does not reduce justification to a kind of works righteousness in the logic of Regensburg. It remains that Christians "are accepted … not on account of [their] own worthiness or works" (*RC* §4.3). This love that activates faith, is not conjured up by human willing, but is still an infused love of divine origin.

Regensburg briefly addressed the traditional Lutheran formulation of *sola fide*, but sidesteps the question in doing so: "Now those who say that we are justified by faith alone should at the same time teach the doctrine of repentance, of the fear of God, of the judgement of God and of good works, so that all the chief points of the preaching may remain firm" (*RC* §9.1). The concern in this passage is not with identifying the role of faith in bring about justification. Instead, the intention is pastoral, identifying how churches should preach in light of the role of faith in justification. The exhortation to preach of God's harshness towards sin and the necessity of good works indicates that Regensburg sought to combat libertine conclusions from *sola fide*, and not to fully analyze the place of faith in bringing about salvation.

Thus, Regensburg's explanation of the role of faith in justification made it vulnerable to Protestant critique. Its surface-level ambiguity "made the Protestants suspicious … of the formula," and its implicit relationship between faith and love would have been too far of a deviation from the Lutheran *sola fide* to be acceptable.[66] Thus, how the theologians at

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[66] Anthony Lane, "A Tale of Two Imperial Cities: Justification at Regensburg (1541) and Trent (1546-1547)," in *Justification in Perspective: Historical Development and Contemporary Challenges* (Grand Rapids: Rutherford House, 2006) 128.

Regensburg explained the role of faith in justification helps to explain why early Protestants ultimately rejected it.

The Joint Declaration has an entire section describing the role of faith. A common statement affirms the validity of the *sola fide* formula in saying that "sinners are justified by faith in the saving action of God in Christ" (*JD* §25). On the other hand, the same statement suggests that two other factors occur in tandem with faith. It claims that "justifying faith … includes hope in God and love for him" (*JD* §25). It additionally states that this faith is "active in love" (*JD* §25). The Lutheran paragraph echoes the inevitability of virtues beyond faith, suggesting that the Christian's faith necessarily "leads to a life in hope and love" (*JD* §26). The Catholic segment pulls these concepts even closer, saying that "[i]n justification the righteous receive from Christ faith, hope, and love" (*JD* §27). The Joint Declaration never offers a detailed explanation of how these factors relate or how faith is effective in bringing about justification. Regensburg offered ambiguous statements about how faith and love cooperated, which led to potentially problematic conclusions. The Joint Declaration avoids this pitfall by simply affirming the necessity of love and hope without identifying the way in which they are necessary or effective.

While it provides no exact explanation, the Joint Declaration explicitly rejects some understandings. The common statement says that "whatever in the justified precedes or follows the free gift of faith is neither the basis of justification nor merits it" (*JD* §25). Thus, love and hope, though they may necessarily proceed from faith, cannot be understood, in the Joint Declaration's logic, as another basis of justification, or that they merit it in a strict sense. Just as Regensburg asserts, the presence of love and hope do not negate the gracious nature of justification.

In this way, Regensburg's statement on Justification and the Joint Declaration are similar in that they are generally affirm the centrality of faith in justification, but both are ambiguous on faith's exact role. The two are not perfectly analogous on the issue, however, because of the implicit assertion that love is the effective agent in faith in justification in Regensburg, which is absent from the Joint Declaration.

Human Powerlessness

Both documents suggest that the human is powerless to bring about their justification. The Joint Declaration is clear on this topic, asserting that the freedom that sinners have is "no freedom in relation to salvation" and that unjust humans "are incapable of turning by themselves to God" (*JD* §19). The Catholic statement on this topic contends that sinners must cooperate with God's justifying work for them to receive it, but the individual's cooperation is itself an "effect of grace," not a work that the unregenerate individual performs (*JD* §20).

Though Regensburg does not emphasize humanity's inability in justification, it does confess that all are born "enemies of God" (*RC* §1). The theologians at Regensburg assert that God moves prior to the sinner, claiming that no one obtains the blessing of Jesus "except by the prevenient movement of the Holy Spirit" (*RC* §3.1). The result of this movement is that the individual's "mind and will are moved to hate sin," a necessary precondition for justification, as "it is impossible to begin a new life if [believers] do not repent of the former one" (*RC* §3.1,3.2). Repentance, the prerequisite of justification in Regensburg's reasoning, is itself the result of divine work in the sinner. It is analogous to the Catholic notion of cooperation described in the Joint Declaration: something in the individual that occurs in tandem with God justifying them,

but is provided by God as well. Thus, Regensburg and the Joint Declaration are similar in their understanding of human inability in justifying themselves, and the preeminent role of God in bringing it (and its prerequisites) to be.

Certainty and Doubt

The two agreements also espouse a common understanding of the place of doubt in the Christian's life and the extent to which they may know with certainty that they are justified and saved. Both recognize that Christians may see their own weakness and be concerned for their salvation because of it. Regensburg claims that human imperfection causes "weak and fearful consciences" and "great doubt" (*RC* §7). The Joint Declaration suggests that Christians may fear for their justification when seeing their own shortcomings (*JD* §36). These doubts, however, ought to be directed at one's self, not God. The theologians at the Regensburg meeting charged those with doubts to "set the promises of Christ against" them (*RC* §7). This instruction assumes that the "promises of Christ" are not those in doubt. The Joint Declaration exhorts Christians who doubt to "build on the effective promise [of God]," in order to "be sure of this grace" (*JD* §34). The Catholic section on assurance of salvation claims that doubt in God is antithetical to faith, explaining that "one cannot believe in God and at the same time consider the divine promise untrustworthy" (*JD* §36). Thus, Regensburg and the Joint Declaration similarly permit the believer a degree of doubt, given that it is proceeds from an understanding of one's own shortcomings and does not doubt the trustworthiness of God's promises. Additionally, they allow the believer to have assurance, but only an assurance of God's grace, not in themselves or their merit.

Good Works and Merit

Both Protestants and Roman Catholics affirm that Christians are charged to do good works out of faith. Dispute arises in considering how God considers these good works and rewards them. The writers of Regensburg and the Joint Declaration discuss the role of good works and the sense in which the doer of good works may have merit in light of them. The two affirm that good works are not the basis of justification. Regensburg contrasts how God rewards the Christian's deeds with the fact that "eternal life is due to the regenerate on account of the promise" of God, not human doing (*RC* §8.3). Likewise, the Joint Declaration discusses good works as chronologically after justification, asserting these good works "follow justification and are its fruits" (*JD* §37). The Joint Declaration's mention of the role of faith also excludes the possibility of works being the basis of justification, because "whatever in the justified precedes or follows the free gift of faith is neither the basis of justification nor merits it" (*JD* §25).

The two documents do, however, suggest that the Christian's good works are worthy of reward, despite not meriting justification and salvation. Regensburg claims that "God also renders a reward to good works" (*RC* §8.3). The Joint Declaration permits the Catholic explanation that good works are meritorious only in the sense that "a reward in heaven is promised to these works" (*JD* §38). While Catholics have historically made bolder claims, asserting that Christians can be said to "have truly merited eternal life" in some sense, the writers of Regensburg and the Joint Declaration were happy to restrict their consensus on the topic to an affirmation that an unspecified reward is promised to the Christian's good deeds.[67]

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[67] *CT* Ch. XVI.

While Regensburg and the Joint Declaration both affirm that rewards are given for the Christian's good works, they are also quick to assert that these deeds are in no way the basis of justification. That Catholics accepted the more vague sense of reward used in the Joint Declaration instead of insisting on the more bold claims that eternal life is itself the reward suggests that less weight is placed on the concept of merit today

Sin in the Justified

The continued role of sin in the Christian's life has historically been a point of contention between Catholics and Lutherans. It is closely related to each communion's understanding of the formal cause of righteousness. If God's declaration about the individual is the basis of their acceptance, then the continued presence of sin in the believer, while not desirable, is not problematic for salvation. If the infused grace within the person is the basis of acceptance, then continued sin is indeed problematic.

The Joint Declaration addresses this issue, though it does so arguably not to the full satisfaction of the two parties. The common statement suggests that believers are "continuously exposed to the power of sin still pressing its attacks" (*JD* §28). The document affirms that sin continues to affect the believer, but it allows a high degree of freedom to the two communions in explaining the extent to which sin continually remains within them and the sense in which believers can be called sinners. This high degree of freedom resulted in two explanations that are seemingly contradictory; Luther's formula of s*imul iustus et peccator* and the Catholic insistence that "baptism takes away all that is sin" such that only concupiscence remains are both affirmed (*JD* §29,30). The Official Catholic Response noticed this tension also, going as far as to suggest

that the Lutheran assertion in the Joint Declaration that "sin still lives in" the baptized Christian was unacceptable.[68]

Regensburg makes no reference to the continued presence of sin in the Christian; all mentions of sin in the text refer to its forgiveness or removal. Regensburg's discussion of sin revolves chiefly around the "remission of sins," the "forgiveness of sin" and the individual being "set free from slavery to sin" in justification (*RC* §4.2,3.5,2). Lacking is an explicit connection between the justified believer and sin. Regensburg does nonetheless mention that the believer's "renewal is imperfect and enormous weakness remains in them" (*RC* §6). The Christian does not yet actually embody the "perfection of the righteousness imparted" to them (*RC* §4.6). It is not clear, however, if this imperfection constitutes actual sin. Though this imperfection exists in contradiction to justification, Regensburg is clear that the individual's imperfection does not negate their justification and salvation. This imperfection exists, but "nevertheless … [believers] are pleasing to God on account of Christ the mediator" (*RC* §6). That Regensburg does not carefully define sin makes it difficult assess how the authors of the text imagined the role of sin in the life of the Christian.

Both Regensburg and the Joint Declaration are not explicit in addressing the question of sin within the believer. The Joint Declaration attempts to address the issue by affirming the historical Lutheran and Catholic explanations, but it is difficult to see how these explanation are mutually compatible. Regensburg affirms a continued imperfection within the justified, which may or may not continue actual sin. Though the two are ambiguous on the issue, their lack of clarity is born out of differing methods; the Joint Declaration affirmed two seemingly

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[68] *OCR* §1.

contradictory paradigms as acceptable, while Regensburg clearly affirmed the existence of imperfection within the sinner without extensive defining it in terms of sin. Both do not offer an extensive definition of sin, a step that would have been germane to address the controversy.

In sum, while the Joint Declaration and Article V of the Regensburg Colloquy are similar in that their writers were faced with a similar task of reconciling the Catholic and Lutheran views of justification, their theologies are different enough to give pause in calling them perfectly analogous documents. Most notable amongst these differences is their method of reconciling imputed and infused righteousness. Where Regensburg identified imputed righteousness as the sole basis of justification, a position unacceptable to Catholic orthodoxy, the Joint Declaration cast a broad, inclusive vision of justification that included forgiveness and renewal.

The deeper theological differences of the two also problematizes the reading of the two documents as "benchmarks of theological convergence." It is wrongheaded to think of the acceptance and rejection of the two documents as a sort of theological litmus test. Regensburg's clarity and the Joint Declaration's relative ambiguity on the question of the formal cause of righteousness, along with their other emphases on various issues surrounding justification suggests that they are not an objective standard to evidence Lutheran-Catholic convergence on justification. A nuanced understanding of both the documents and the histories surrounding them is necessary.

Historical Factors Inhibiting the Success of the Regensburg Colloquy

While the dissimilar theologies of Regensburg and the Joint Declaration problematize reading them as conclusive evidence of theological convergence, so too do the historical factors surrounding the two agreements, which will be explored in these two sections. Indeed, the two communions' orientations towards each other have dramatically altered. The Reformation was not merely a religiously embattled period, but a time of political and social upheaval. As Peter Matheson suggested, "[a] purely theological Reformation never existed, and by the time of the Diet of Regensburg in 1541 doctrinal and socio-political questions were inextricably bound up with one another."[69] Thus, the prevailing mood was not one that was conducive towards reconciliation. In contrast, the ethos of the twentieth century was reconciliatory, as Catholics and Lutherans were willing to reconsider each other's language and paradigms of salvation. Consequently, the acceptance and rejection of the two documents were products of historical conditions that were conductive to reconciliation in varying degrees, even if they did not coincide with substantive theological convergence.

The three essential parties that Regensburg concerned—Lutherans, Catholics, and Charles V, Emperor of the Holy Roman Empire—were not unified in their desires and expectations for the colloquy. Protestants were divided between those seeking to establish a peaceful status-quo for Germany, in which they could preach Lutheranism without harassment, and those who wanted to use the colloquy itself as a platform to push their movement. The Roman Curia was hesitant to engage in dialogue with Protestants at all. Only Charles V was resolute in his desire for colloquies and religious dialogue. Given the three different motivations

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[69] Matheson, *Contarini*, 5.

of the parties involved, it is surprising that the Regensburg colloquy produced any results at all, let alone that they would be the basis of a restored communion.

Charles V, Emperor of the Holy Roman Empire, was the sole party with a clear desire for dialogue and religious reconciliation. Charles's enthusiasm for settlement, however, derived from the multitude of threats he faced internally and abroad, rather than from spiritual conviction. The French King Francis I felt particularly threatened by the Charles, as he was geographically surrounded by Habsburg possessions with Spain and the Holy Roman Empire.[70] Francis opened four campaigns against Charles between 1521 and 1541, and thus Charles was continually threatened on his Western border.[71] In the East, the Ottoman advance had swept through most of Hungary and was approaching Vienna by 1529.[72] Internally, Charles's sway with the German nobility was weak. The German nobles often constituted "autonomous rulers" of their regions and resented any attempts by the monarch to curtail their authority.[73] The Reformation offered the means by which to legitimate resistance of the Emperor's authority, and they organized themselves into the Schmalkaldic League, which was, in the words of John O'Malley, "a military junta for self-defense against Charles."[74] Because Charles needed a unified, loyal nobility in order to confront the threats from abroad, religious reconciliation, or even concession, was a feasible option.

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[70] John O'Malley, *Trent: What Happened At The Council* (Cambridge: Belknap, 2013), 52, 53.

[71] Ibid., 53.

[72] Ibid.

[73] Ibid., 52.

[74] Ibid., 53.

A general council was in Charles's best interests because it could settle the Reformation disputes internally and maintain his healthy relationship with Rome. Indeed, "[n]o one took up the cry [for a council] more consistently and passionately" than he.[75] When Pope Clement VII successfully avoided a council and his successor Paul III was slow to convene one, however, Charles turned to the colloquy solution; he could independently hold a smaller council of his own in the Holy Roman Empire to establish imperial unity. He arranged for a meeting of German Protestants and Catholic princes at Speyer, as Cardinal Morone was told in a letter from Charles' brother Ferdinand.[76] Charles's enthusiasm for the colloquy solution was evidenced also by his very presence at the Regensburg meeting and his prominent place in the opening Mass of the meeting.[77] Though Charles supported the colloquy as a solution to the internal fracturing of the Holy Roman Empire, the mixed and outright unwelcoming reaction of the other parties involved contributed to its failure.

Among Lutherans there were various degrees of enthusiasm and expectations for the Emperor's proposed colloquies. On one end, the theologians associated with Elector John Frederick Martin, the Duke of Saxony, did not see the colloquy as an opportunity to resolve religious differences. No religious settlement or attempts to rephrase Lutheran thought would be acceptable for them; a colloquy, should it occur, would only be "to test the willingness of the other party to admit the truth of the Lutheran doctrines."[78] Bucer, an early ally of Martin Luther,

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[75] O'Malley, *Trent*, 24.

[76] Matheson, *Contarini*, 13.

[77] Ibid., 79.

[78] Ibid., 17,18.

was anxious for a colloquy, but his goals were more strategic than conciliatory. Though he favored flexibility on "non-essential matters," Bucer saw the colloquy as primarily a "missionary platform."[79] For him, any agreements that came out of the dialogues would be acceptable only to the extent to which it made Lutheranism tolerated in the Empire, did not fall into any serious doctrinal errors, and "did not close any doors to further progress."[80] While more conciliatory than the John Frederick faction, Bucer nevertheless saw the colloquy primarily as a means of advancing the Protestant cause. Lastly, Philipp of Hesse, the leader of the Schmalkaldic League, represented another position. Though Hesse had been militantly Lutheran, he turned more towards a conciliatory policy after being scorned by his Protestant allies for his bigamous marriage in 1540.[81] Both he and the Emperor needed a "theological legitimation for the cessation of hostilities," and Hesse became more closely associated with the Chancellor of Charles V, Nicholas Granvelle, who pushed the colloquy as the opportunity to "reconcile divergent views."[82] This third reconciliatory approach drew suspicion from other Protestants. Bucer expressed his disapproval of Granvelle in a letter to Philip of Hesse, suggesting that the Chancellor interests were purely political and had no concern for the religious questions at hand.[83]

The diversity of Protestant positions was present at Regensburg. Philip Melanchthon,

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[79] Matheson, *Contarini*, 26,27.

[80] Ibid., 26.

[81] Ibid., 24.

[82] Ibid., 27.

[83] Ibid., 28.

Martin Bucer and Johann Pistorius constituted the Protestant collocutors.[84] Though "[c]onciliatory by nature," Melanchthon felt upon himself "the main weight of defending the Protestant cause" because he had been given strict instructions "not to budge even an inch from the Augsburg Confession."[85] Pistorius was from Hesse and was indeed associated with Philip of Hesse, but in Peter Matheson's opinion, played no serious role in the colloquy.[86] Conflict and tensions were high among within the Protestant contingent, for Melanchthon distrusted Bucer and Pistorius because of their relationship to Philip of Hesse.[87] These divisions among Lutherans in regard to their expectations of and desires for the Diet of Regensburg help to explain the meeting's failure. Because Protestants were so varied in their interest in genuine dialogue upon entering the meeting, the breakdown of the colloquy's discussions is not surprising. Thus, Regensburg was embattled not only by the competing interests of the three parties involved, but within the Protestant contingent as well.

By the 1530s, Catholicism had few options in addressing Lutheran expansion. Ideally, a general, ecumenical council would be convoked and could restore Christian unity by either "effect[ing] the submission of the Protestants," or by enabling European royalty to violently target them by formally "branding them as heretics."[88] The Council of Constance of the pervious century made subsequent Popes fearful of conciliar authority, however. Pope John XXIII had convoked the Council of Constance during the Great Western Schism, in which three men

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[84] Matheson, *Contarini*, 93.

[85] Ibid., 95.

[86] Ibid., 96.

[87] Ibid., 95.

[88] Ibid., 13.

claimed to the true successor of Peter.[89] Though John XXIII had been widely considered legitimate, the Council deposed him and elected Martin V as the new Pope, who gained immediate recognition.[90] Papal fear of Conciliarism, the view that ecumenical councils had authority even over the Pope, was born out of Constance. Indeed, Clement VII, the Pope until 1534, was rightfully afraid of the threat a general council would pose to his power. Clement very well may have been deposed had a council been convoked during his papacy: he was especially unpopular, had been born out of wedlock, and had become Pope under suspicious circumstances with rumors of bribery surrounding his election.[91] Despite Charles V's urging, Clement successfully avoided a general council until his death. His successor, Paul III, was more interested in a general council, but by that point it had become clear that Lutherans would not attend a council led by the Pope because their presence would constitute a recognition of the papal authority.[92] For a council to denounce the Lutherans as heretics in absentia would lead to civil war, an unacceptable outcome for Charles V.[93]

Without a council, Charles V pushed instead for a colloquy based within his realm, in which German Lutherans and Catholics would work out a religious agreement to serve as the basis of internal peace and stability. But for Rome, this option was also intolerable. A statement from the Sorbonne in 1534 became the mainstream reasoning on the subject; it suggested that the Catholic Church participate in no dialogue with heretics until they acknowledge their error and

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[89] O'Malley, *Trent*, 24.

[90] Ibid., 24-25.

[91] Ibid., 57.

[92] Ibid., 69.

[93] Ibid.

recognize the authority of "decrees of the Popes, Apostolic tradition and Catholic practice" in resolving religious and doctrinal disputes.[94] Without this, any colloquy or dialogue would merely serve as a "sounding-board for Lutheran propaganda," a platform for heresy.[95] Additionally, a colloquy of Charles' initiation would set a dangerous precedent. If the Emperor could handle internal religious disputes apart from Rome, why yield to the Pope at all? Cardinal Morone expressed this exact sentiment in a letter to fellow Cardinal Farnese: he feared that a colloquy could "lead to the unification of Germany on the basis of independence from Rome."[96] Furthermore, a regional colloquy without Papal oversight could allow any sort of doctrinal concessions to Lutherans. Cardinal Farnese echoed a similar concern to Paul III, predicting that a colloquy would result in "the apostasy of all Germany."[97]

Though a colloquy would be dangerous, so too would it be for Rome to totally ignore the colloquies. In letters between Cardinal Cervini and Cardinal Farnese in September of 1540, the two recognized that, in refusing to send a legate from the Curia to a colloquy, Rome risked estranging itself from its loyal Princes and Catholic support in Germany.[98] Neglecting these Catholic princes could drive them towards Lutheranism. Furthermore, a boycott of these dialogues could afford Charles the opportunity to formulate a pro-Lutheran agreement and blame the Pope for his failure to engage in debate.[99] The best strategy for Rome was to send

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[94] Matheson, *Contarini*, 10.

[95] Ibid.

[96] Morone to Farnese, December 13, 1539, in *Contarini*, 11.

[97] Farnese to Paul III, April 1,1540, in *Contarini*, 13.

[98] Matheson, *Contarini*, 21-22.

[99] Ibid.

representatives to Charles's colloquies, but to obstruct their progress as much as possible. Cardinal Morone was to be present at Charles's proposed colloquy at Speyer, but was instructed not to become engaged in any disputes and to walk away from the meeting immediately should the Papacy be disrespected at all.[100] Morone celebrated this obstructive strategy in a letter to Cardinal Contarini, reporting how he had successfully prevented any agreements unfavorable to Rome from being passed at the Colloquy of Worms in 1541.[101]

The failure of Regensburg was due in part to this strategy. Even if the Papal nuncio, Contarini, was genuine in his dialogue at Regensburg, the Catholic authorities in Rome had no expectations for the colloquy and desired that no extensive agreements should result. Indeed, Catholic participation in the colloquy came about only to avoid the risk of alienating German Catholics. Regensburg was doomed in part by a general lack of enthusiasm for dialogue on the part of Rome.

Besides the divergent expectations and enthusiasm among the three parties at the Regensburg Colloquy, the historical-theological moment of the Reformation was also unfavorable for a mutually-acceptable statement on justification to be formulated. This was due in part to the place of justification within sixteenth-century Catholic thought. Prior to the Tridentine declaration on justification, none of the authoritative, binding statements of the Catholic Church had ever directly addressed the doctrine. Thus, the Catholic doctrine of justification could not be considered solidified until 1547, when Trent's statement on the topic was circulated, and a diversity of interpretations of this statement persisted even afterwards.

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[100] Matheson, *Contarini*, 15.

[101] Ibid., 33.

Prior to this period, though a Catholic orthodoxy existed on salvation, this orthodoxy was only loosely defined and a broad range of views were considered acceptable. There were few official means by which to delimit heresy on justification. The lack of a definitive, Catholic position on justification upon entering the colloquy at Regensburg was not conducive to healthy ecumenical dialogue and played a role in the colloquies failure.

This does not mean however, that the Catholic Church had no theology of salvation. Rather, justification had historically not been at the center of Catholic discussions of salvation prior to the Reformation. Alister McGrath noted that Luther brought about a "significant lexical development" in Western Christianity in which the language of justification replaced "salvation by grace" as the main paradigm describing God's salvific work.[102] That justification had not been at the forefront of Catholic theological life until the Reformation helps to explain why comparatively little of Catholic theology explicitly addressed it. Indeed, very little of the anti-Lutheran polemical writings in the sixteenth century prior to Trent actually addressed Luther's views on justification, instead focusing on his writings on the papacy, sacraments, and indulgences.[103] Thus, the Catholic Church was ill-prepared to combat Lutherans on justification because the Lutheran cornerstone of 'justification by faith alone' targeted a doctrine at the periphery of Catholic life and theology.

As mentioned above, no authoritative Catholic statements before 1547 ever addressed justification. Because no means of defining orthodoxy existed, a diversity of views on the doctrine were considered acceptable up into the sixteenth century. The wide breadth of pre-

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[102] McGrath, *Iustitia Dei*, 407.

[103] Ibid., 308.

Tridentine orthodoxy on justification can be demonstrated by comparing two Scholastic theologians, Gabirel Biel and Thomas Bradwardine. Despite their seemingly incompatible theologies of salvation, these two can be regarded as orthodox Catholic thinkers.

Gabriel Biel, who died in 1495, represented one end of the soteriological spectrum existing within Catholicism on the eve of the Reformation.[104] It is appropriate to consider his views as largely acceptable to Catholic orthodoxy, for the Council of Trent referred to his writings.[105] His 1460 sermon, "On the Circumcision of the Lord," offered a concise summary of his theology of salvation.[106] Here Biel outlined "what grace is" and "what is actually accomplished by grace."[107] Grace does indeed justify and make the sinner acceptable to God in his argument, but this does not occur because of any sort of imputation. The grace that is infused into the human is an "assisting grace," which "accomplishes in the soul something similar to the effects of a naturally acquitted habit," but in a "more perfect fashion."[108] This kind of grace does not categorically change the human's situation, but rather enables the human to resist sin better than before. He affirms that "grace weakens the power of sin," but not because it "forgives or wipes out sins, but because it strengthens human power."[109] He compares this situation with that of a "bird that has a stone tied to it so it could scarcely fly."[110] If the bird's wings are

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[104] Heiko Oberman, *Forerunners of the Reformation: The Shape of Late Medieval Thought*, (New York: Holt, Rinehard and Winston: 1966), 125.

[105] Ibid., 137.

[106] Ibid.

[107] Gabriel Biel, "The Circumcision of the Lord," in Oberman, *Forerunners*, 167.

[108] Ibid., 173, 171.

[109] Ibid., 171.

[110] Ibid., 172.

strengthened, then one could "say that the impediment to flight has been lessened, although the weight of the stone had not been lessened."[111] The human ability to resist sin is enhanced by grace to more effectively combat sin. Essentially, grace enables the human to perform God's commands more easily.

Biel affirmed the reality that human works can be meritorious also. The sense in which human works are meritorious is not explicitly spelled out, but Biel did assert that these works are meritorious unto "eternal life … grace and glory."[112] Meritorious acts, Biel continued, do not occur solely because of grace, but require free will also. For him, the relationship between human will and grace is like that of a rider to a horse: "the rider guides the horse and chooses the direction in which to go. Indeed, it is in this way that grace steers and prompts the will to direct itself to God."[113] Here, grace reorients the human towards God, but the human will closes the actual distance between it and God. Elsewhere, Catholic thinkers affirmed human cooperation, but suggested that this cooperation is itself an effect of grace. Not so with Biel. He distinguishes free will from grace and suggests that the human will can "ignore the prompting of grace and lose it."[114] Biel goes further still; this human willing is relevant to the forgiveness of sins. He claims that "God has established the rule … that whoever turns to Him and does what he can will receive forgiveness of sins from God."[115] Thus, in Biel's theology, the independent human will is operative in God's acceptance of the human.

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[111] Biel, "Circumcision," 172.

[112] Ibid., 168.

[113] Ibid., 170.

[114] Ibid., 170.

[115] Ibid., 173.

Another medieval theologian, Thomas Bradwardine, held a significantly different understanding of how salvation occurs than Biel, but can still be considered be considered within the scope of pre-Tridentine orthodoxy because of his prominent position within the Catholic Church; he was Archbishop of Canterbury until his death in 1349.[116] In one of his most influential works, *The Cause of God Against the Pelagians*, Bradwardine thoroughly defended predestination by refuting arguments against it. While some had claimed that the Gospel of John implied the efficaciousness of human efforts in saying that "[God] gave them power to become sons of God," Bradwardine considered this illogical, wondering "[w]hoever had produced himself?"[117] Instead, he suggested that humans "do not make themselves sons of God. God does this."[118] While Bradwardine confessed that free will is involved, God is neither "excluded" nor a "subordinate factor" in the process, but is the preeminent actor.[119] For Biel, grace strengthens the human oriented them towards God, and prompts them to do rightly, but leaves the actual accomplishment of the act to the human will. Bradwardine asserted the opposite, claiming that God not only provides "the offer of grace [unto salvation], but also the acceptance of this offer."[120]

On the topic of merit, Bradwardine also deemphasized human works. He asserted that it is only "[o]n account of grace" that eternal life is merited, but also that "[g]race is given … it is

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[116] Edith Wilks Dolnikowski, *Thomas Bradwardine: A View of Time and a Vision of Eternity in Fourteenth-century Thought* (New York: E.J. Brill, 1995), 1.

[117] Thomas Bradwardine, "The Cause of God Against the Pelagians," in Oberman, *Forerunners*, 151,154.

[118] Ibid., 154.

[119] Ibid., 155.

[120] Oberman, *Forerunners*, 134.

not a payment" and is not earned by "preceding merits."[121] Thus, though grace merits eternal life, it is a gift given to the human, and can never be called a human merit. Bradwardine recognized this notion in quoting St. Augustine, saying "God crowns His gifts, not your merits."[122] Though he also asserted that "[b]y faith we merit God," this faith is also something that is received in tandem with grace.[123] Where Biel emphasized the cooperation of assisting grace and free will in accruing merit, grace is the preeminent and operative of the two for Bradwardine.

The coexistence of these two, seemingly contradictory theologies of salvation and merit within late-Scholastic Catholicism underscores that lack of unity of the Church on the subject at that time. In light of this doctrinal disunity on justification prior to Trent, it is not surprising that the Catholic Church was so ill-prepared to meet the challenges of Lutheranism. Furthermore, the failure of the dialogue at the Regensburg is not particularly surprising either. That one of the two parties at the Colloquy lacked a firm stance on justification was not conducive to the end of a producing a mutually-acceptable conclusion. Without any authoritative statements or unified views on the topic, the small group of Catholics theologians at Regensburg in conversation with those considered heretical strayed from the Catholic orthodoxy of the time, and thus produced a statement that was unacceptable to the Catholic Church. In this way, the historical-theological moment of Regensburg inhibited the colloquy's success.

These historical factors also upset the characterization of Regensburg and the Joint Declaration as entirely analogous projects. Regensburg was mired in the Reformation

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[121] Bradwardine, "Against the Pelagians," 156,157.

[122] Ibid., 157.

[123] Ibid., 156.

strategizing between groups, as Lutherans were internally divided, and Catholics actively discouraged ecumenical agreement. Additionally, the two documents cannot supply a standard by which to assess the changing place of justification within Western Christianity, as the Catholic theology of justification was largely undefined before Trent and Catholic thought on salvation was only loosely defined at the time of the colloquy.

Twentieth-Century Developments Preceding the Joint Declaration

Where strategic interests and the theological moment of Reformation-era Catholicism showed how the two communions polemically embattled, the twentieth century saw Catholics and Lutherans reconsidering the theological formulations of the other. It was in this new theological climate that the Joint Declaration came about. This suggests that the primary orientations of the two communions has shifted towards reconciliation, even if it does not conclusively evidence real theological convergence.

Twentieth-century Catholics reengaged with Protestant understandings of justification and demonstrated an increased (though often qualified) openness to traditional Lutheran formulas of justification. Anthony Lane goes as far as to insist that this rereading of Protestant theology of justification is the primary cause of the acceptance of ecumenical agreements like the Joint Declaration.[124] It is important to note, however, that this reconsidering of Protestant understandings of justification occurred not only in the context of ecumenical dialogue, but also within the life of the Catholic Church and even predates the surge of ecumenical dialogue after Vatican II. This suggests that this new Catholic rereading represents an authentic development

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[124] Lane, *Evangelical Assessment*, 226.

with Catholicism, rather than a purely ecumenical development detached from "real" Catholic life. In light of these developments, the agreement made between Catholics and Lutherans in the Joint Declaration at the end of the twentieth century appears less shocking. Instead, it represented a culmination of a process spanning the entire century.

A diversity of twentieth-century Catholic theologians considered Lutheran positions within their works. In his six-volume *Dogma* series from 1968, Michael Schmaus sought a comprehensive presentation of Catholic thought. The final volume, *Justification and the Last Things*, Schmaus presented Tridentine soteriology with an eye towards the controversies of the Reformation. Though he distinguished between Trent and the Reformers, his final assessment deemphasized the disparity, going as far as to claim that "the formula 'by faith alone' is not opposed to the teaching of the council [of Trent]," assuming that faith necessarily entails love and hope.[125] Additionally, because the Reformers tended to emphasize the connection between justification and forgiveness, Schmaus argued that Trent "did not reject the idea of justification which the Reformers had so much at heart."[126]

Moreover, Catholic study of Martin Luther himself increased during the twentieth century, with Catholic scholars such as Jared Wicks, Otto Pesch, and particularly Joseph Lortz. This scholarship often seriously considered the possibility of discovering a "Catholic Luther."[127] German Catholic theologian Jospeh Lortz was particularly receptive towards Luther's

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[125] Michael Schmaus, *Dogma 6: Justification and the Last Things*, (Kansas City: Sheed and Ward, 1977), 35.

[126] Ibid., 63, 64.

[127] Joseph Lortz, "The Basic Elements of Luther's Intellectual Style," in *Catholic Scholars Dialogue with Luther*, ed. Jared Wicks (Chicago: Loyola University Press, 1970), 32.

explanation of justification by faith alone, even to the point of claiming that it was "good Catholic formula" and that Luther had "rediscovered an old Catholic doctrine."[128] Lortz argued for the orthodoxy of Luther's sola fide because he noted that, despite emphasizing imputed righteousness, Luther "never lapsed into a *merely* imputed … theory of justification."[129] For Lortz, "God's word of acquittal is creative"; in being declared righteous, God truly makes humans so.[130] Thus, for Lortz, Luther's emphasis on forensic, declarative justification is not problematic.

Another Catholic Luther scholar, Peter Manns, read Luther's hostility toward the Catholic insistence on the necessity of love and charity in addition to faith in justification as a concern that emphasizing love and charity would render Christ's passion "superfluous" and create a works-based justification.[131] Though Manns argued that Luther misunderstood the Catholic doctrine, he defended Luther, claiming that his "endeavor to defend the role of grace in justification against the incursion of good works [was] totally justified" given the "over-emphasis on works" of the time.[132] Furthermore, Luther's desire to emphasize the "total dependence of charity on grace" was valid and a "basic Catholic doctrine" for Manns.[133] Luther's

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[128] Lortz, "Luther's Style," 32.

[129] Ibid., 31.

[130] Ibid.

[131] Peter Manns, "Absolute and Incarnate Faith — Luther on Justification in the Galatians' Commentary of 1531-1535," in Wicks, *Catholic Scholars Dialogue with Luther*, 140.

[132] Ibid.

[133] Ibid.

error, in Mann's reading, was that he understood charity as "in competition with faith," rather than in harmony with it.[134]

Though much of the rereading of Luther and Lutheran explications of justification occurred within theological writings, the reengagement with Protestant thought was not restricted to theological circles. Receptivity towards Protestant soteriology was expressed by ecclesial authorities as well. In 1964, Cardinal Richard Cushing encouraged local Catholic youth to attend a Billy Graham revival in the Boston, suggesting that listening to the famous evangelical preacher would help them "become a better Catholic."[135] Cardinal Cushing voiced admiration at the way Graham "preach[ed] the Gospel."[136] The growing receptivity towards Protestant theology of salvation has received Papal recognition as well. To a general audience at St. Peter's Square in 2008, Pope Benedict XVI claimed that "Luther's phrase 'faith alone' is true, if it is not opposed to faith in charity, in love."[137]

The twentieth century saw both theological and ecclesial authorities of the Catholic church express openness towards traditional Lutheran explanations of justification. This rereading of Lutheranism partially explains the reception of the Joint Declaration by the Catholic Church. Because certain Catholic theologians began to highlight the compatibility of the Reformers and Tridentine justification, it is less surprising that a common statement on the doctrine could be formulated and accepted by Catholics. This is not to suggest that ecumenical

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[134] Manns, "Luther On Justification," 140.

[135] "Cushing Praises Graham Crusade," *New York Times* (New York, NY), October 6, 1964.

[136] Ibid.,

[137] Benedict XVI "The Doctrine of Justification: from Works to Faith" (sermon, General Audience, St. Peter's Square, Vatican, November 19th, 2008).

formulas were necessarily written with explicit reference to Catholic rereading of Lutheranism or even identify such a trend, but rather, the prevalence of these works within the theological climate of Catholicism provided fertile ground for such agreements.

Developments within Lutheranism during the twentieth century also enabled Protestant reevaluations of Lutheranism's traditional understanding of justification and enabled ecumenical dialogue. Anthony Lane suggested that, in the proposed convergence of Catholics and Lutherans on justification, Lutherans have been more willing to accept ambiguity in mutual confessions.[138] This argument reduces intra-Lutheran movements to mere rhetorical shifts. Lane failed to note the substantive theological innovations of recent Lutheranism. Prominent amongst these was the rise of the Finnish School, based out of the University of Helsinki. This movement, spearheaded by Finnish scholar Tuomo Mannermaa, argues that Martin Luther's understanding of justification resembles an Eastern Orthodox sense of *theosis* and divination more than it does mainstream Lutheranism's emphasis on imputed righteousness. For Mannermaa, central to Luther's soteriology was the real "indwelling of Christ" and the believer's "participation in God."[139] When God gives his righteousness to the Christian, he does not merely assign or impute something towards the believer, but actually gives himself. Mannermaa claims that in faith "the person of Christ and that of the believer are made one."[140] This *inhabitatio dei* occupies a secondary role in mainstream Lutheranism's explanations of justification.

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[138] Lane, *Evangelical Assessment*, 226.

[139] Tuomo Mannermaa, "Why Is Luther So Fascinating? Modern Finnish Luther Research," in *Union with Christ: The New Finnish Interpretation of Luther*, eds. Carl Braaten and Robert W. Jenson (Grand Rapids: Eerdmans, 1998), 2.

[140] Tuomo Mannermaa, *Christ Present In Faith: Luther's View of Justification* (Minneapolis: Fortress, 2005), 42.

The Finnish School can enable ecumenical agreements on justification because it combats Lutheranism's traditional distinction between imputed justification and sanctification. Important in the Finnish school's sense of the believer's union with Christ is the "communication of [divine] attributes."[141] The believer is necessarily given the attributes of Christ because he dwells within them. Thus, "God's love makes them love," and God's goodness makes them good.[142] The divine, internal presence of Christ in the Christian "drives sin, death, and curse away."[143] God's righteousness is the believer's righteousness in a more concrete sense than being merely imputed to them. In this way, the Finnish School not only satisfies the conventional Catholic concern that Lutheran theology makes justification a legal fiction, but enabled Lutherans to speak outside of their traditional paradigm of imputed righteousness in justification.

Simo Peura, another Finnish Lutheran scholar, argued that a divinizing *union cum Christo* was at the center of Luther's thoughts on justification.[144] He specifically identified two aspects of this union: grace, which is God's favorable and forgiving disposition towards the individual, and gift, which is "the Christian's internal good" that effects a "real renewal" in the Christian.[145] In this same essay, Peura considered the Catholic-Lutheran ecumenical documents being discussed in this paper, the Joint Declaration and Article V of the Regensburg Colloquy, in light of the

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[141] Mannermaa, *Christ Present In Faith*, 22.

[142] Ibid., 21

[143] Ibid., 40.

[144] Simo Peura, "Christ as Favor and Gift: The Challenge of Luther's Understanding of Justification," in *Union with Christ: The New Finnish Interpretation of Luther*, eds. Carl Braaten and Robert W. Jenson (Grand Rapids: Eerdmans, 1998), 48.

[145] Ibid., 44.

Finnish School's reading of Luther.[146] He was ultimately disappointed with these two documents, critiquing them for "lack[ing] totally the idea of union with Christ."[147] His disappointment ultimately appears unwarranted, however. The forensic and imparted conceptions of righteousness considered by the two agreements are analogous, if not identical to the ideas of grace and gift. Where the Joint Declaration and Regensburg affirmed that Christians are forgiven and interiorly renewed in justification, Peura argued that in justification, the indwelling of Christ makes the Christian a friend of God and subject to his vivifying power.[148] The distance between these concepts is short. While Peura is not wrong that these agreements did not articulate a sense of divine participation such as *theosis*, there is considerable substantive convergence between his view and the Joint Declaration and Regensburg.

Ironically, the Finnish School may go even further than would be acceptable to Catholic orthodoxy. The suggestion that God gives his actual self in justification appears incompatible with the Trent's claim that the formal cause of justification is the "justice of God" but "not that whereby He Himself is just."[149] Nevertheless, the Finnish school provides Lutherans the means by which to go beyond mere imputation and declarations towards sinners, in favor of the God working within them. Even Christopher Malloy, a Catholic critic of the Joint Declaration, admitted that the Finnish School "opened doors to dialogue … with Catholicism, which prizes sanctification."[150]

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[146] Peura, "Favor and Gift," 64.

[147] Ibid.

[148] Ibid., 45.

[149] *CT* Ch. VII.

[150] Malloy, *Engrafted*, 153.

Though no Finnish scholar is ever explicitly cited, the Joint Declaration does show the influence of the movement's theology. The Joint Declaration affirms that the forgiveness and renewal of the sinner are inseparable in justification because "persons are by faith united with Christ, who in his person is our righteousness," which is "the saving presence of God himself" (*JD* §22). Additionally, in the explication on baptism, the two communions jointly state that "in baptism the Holy Spirit unites one with Christ" (*JD* §28). Important in this language is the emphasis on Christ giving himself, his very person, in justification, rather than merely communicating something, in a detached way that imputation and infusion would imply. Furthermore, the language of 'alien righteousness' traditionally associated with a Lutheran concept of imputation – a concept generally critiqued by Finnish scholars as a later addition to the Lutheran tradition – is absent from the Joint Declaration. Christopher Malloy suggested that these formulations in the final version of the Joint Declaration were "inspired chiefly by the Finnish critiques of the earlier drafts."[151] These signs of Finnish influence ought not be overstated, though; traditional language of justification, revolving around God's imparting, imputing, and declaring, dominate the Joint Declaration. The idea of participation in the divine life, another concept characteristic of Finnish Luther scholars, receives very little recognition in Joint Declaration.

New Testament scholarship of the latter twentieth century has also caused Christians to explore justification anew. Specifically, a movement often referred to as the New Perspective on Paul has challenged common readings of the Pauline epistles. Krister Stendahl, a Swedish Lutheran bishop and leading figure of the movement, summed up the central observation of the

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[151] Malloy, *Engrafted*, 236.

movement in arguing that "Paul was concerned about the possibility for Gentiles to be included in the messianic covenant," but that "his statements are now [wrongly] read as answers to the quest for assurance about man's salvation out of a common human predicament."[152] While much of Christendom has seen Paul as describing how man might appear just before God, the New Perspective suggests he was more concerned with the exclusion of Gentiles from the church on the basis of culture. As much of Western Christianity's theology of salvation derives from the Pauline writing of the New Testament, the New Perspective is especially relevant in discussing justification.

Parallel research has suggested that first-century Palestinian Judaism was not "calculatingly legalistic," but rather recognized the graciousness of God's elections of the Jews as his people.[153] From this insight, James Dunn concluded that Paul's polemical arguments in his epistles were not combating "a system of 'works' righteousness" in which works of the law were seen as "merit-amassing observances."[154] Rather, he suggested, Paul denounced works of the law as "badges" identifying members of the covenant community, not works in general.[155] For first-century Palestinian Jewish communities, the law was a marker of cultural uniqueness for the Jewish communities, not a means of attaining righteousness. The New Perspective critiques mainstream readings of Pauline epistles as conflating 'works of the law' with 'good works' in general. This conclusion asks a serious question of Lutheran (and Augustinian) theology: If

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[152] Krister Stendahl, "The Apostle Paul and the Introspective Conscience of the West," *Harvard Theological Review* 56, no. 3 (1963): 206.

[153] James Dunn, "The New Perspective on Paul," *Bulletin of the John Rylands Library of Manchester* 65, no. 2 (1990): 98.

[154] Ibid., 98, 110.

[155] Ibid., 110.

Paul's concern is not in combating legalism built on individual efforts, do good works really play no role in a person's salvation?

The potential consequences for the life of the Church of this line of reasoning are varied. At the most benign, the New Perspective provides insight into the real theological locus of Paul's argumentation, but does not upset traditional conceptions of justification, as the centrality of grace and faith is still affirmed. At the most alarming, the New Perspective suggests that the center of Western Christianity's theology of salvation rests upon a serious misreading, and it opens the door to a more positive role of works in justification. While the New Perspective has been controversial and rigorously debated, it is helps to explain the context in which ecumenical agreements occurred. Because it occurred during a reconsideration of the role of good works, it is less surprising that the Lutheran World Federation accepted the Joint Declaration, which affirmed the value of the Christian's good works (at least in a weak sense).

The twentieth century also saw a renewed emphasis on liturgical, high-church forms of communal worship within Lutheranism. Swedish liturgical scholars like Bishop Eduard Rohde, and Bishop Gustav Aulén sought to revive the "immanent catholicity" of Lutheranism.[156] Fredrich Heiler of Phillips University spearheaded the revival of "high-churchism" in Germany."[157] This enthusiasm manifested itself substantively in various congregations with the introduction of vestments for priests, the adoption of incenses and altar bells, and the inclusion of epiclesis in presenting of the eucharist.[158] Heiler and others suggested reviving ascetic practices,

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[156] Frank Senn, *Christian Liturgy: Catholic and Evangelical* (Minneapolis: Fortress Press, 1997), 623.

[157] Bernard Meland, "Friedrich Heiler and the High Church Movement in Germany," *The Journal of Religion* 13, no.2 (1933): 142.

[158] Senn, *Liturgy*, 624.

even to the point of recommending Catholic fasting rules, though not in a spirit of "slavish legalism," but "voluntary devotion."[159] These liturgical elements and practices appeared so similar to Catholic practices, that Heiler felt necessary to defend their adoption as "a renewal of genuinely Lutheran traditions," and not a "return to Romanism."[160]

American Lutherans were also active in the liturgical renewal. In 1966 the Inter-Lutheran Commission on Worship (ILCW), composed of representatives of the Lutheran Church - Missouri Synod, the American Lutheran Church and the Lutheran Church in America, formed with the goal of creating a new common worship book for American Lutherans.[161] The work of this commission culminated with the *Lutheran Book of Worship*.[162] The *Lutheran Book of Worship* reflected some of the work and theology of liturgical scholars. Consequently, the book appears considerably more Catholic, and its liturgical shape parallels that of the Order of Mass from the *Roman Missal* of 1969, as shown on Table 1.[163] The *Lutheran Book of Worship* received wide (though not universal) acceptance, indicating the enthusiasm for high church forms of worship was not restricted to academic circles, but truly affected the life of the church.

Acceptance of more Catholic forms of public worship evidenced a general openness towards Catholicism during the period as a whole. Lutheran liturgical convergence preceded ecumenical progress in other cases as well. The American Lutheran Church and Lutheran Church

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[159] Bernard, "High Church Movement," 148.

[160] Ibid., 142.

[161] Senn, *Liturgy*, 640.

[162] Ibid., 641.

[163] Ibid., 646, with a chart that my Table 1 reproduces with some modifications.

Table 1: Comparison of Catholic and Lutheran Liturgies

***Roman Missal*, 1969**	***Lutheran Book of Worship*, 1978**
The Order of Mass	*The Holy Communion*
Entrance Psalm	(Brief Order for Confession)
Invocation and Greeting	
	Entrance Hymn
Penitential Rite	Apostolic Greeting
(Kyrie)	(Kyrie)
(Gloria)	(Gloria or Worthy if Christ or Hymn)
Salutation and Collect for the Day	Salutation and Prayer of the Day
First Lesson	First Lesson
Psalmody	Psalmody
Second Session	Second Lesson
Alleluia Verse	Alleluia Verse
Gospel	Gospel
Homily	Sermon
	Silent Reflection
	Hymn of the Day
Nicene Creed	Nicene or Apostles' Creed
Intercessions	Prayers of the Church
	(Confession of Sin)
	Greeting of Peace
Offering	Offering
Offertory Song	Offertory Verse
Offertory Prayers	Offertory Prayer
Preface and Sanctus	Preface and Sanctus
Canon (9 options)	Great Thanksgiving (5 options) or Words of Institution
Lord's Prayer	Lord's Prayer
Peace of the Lord	
Lamb of God	Communion
Communion	(Lamb of God or other hymns)
(Communion songs)	
Silent Reflection	Post-Communion Song
Post-Communion Prayer	Post-Communion Prayer
	Silent Reflection
Benediction and Dismissal	Benediction and Dismissal

in America of the ILCW, went on to unify to form the Evangelical Lutheran Church in America, which functions today as the largest Lutheran body in America.[164] In light of the historic relationship between Lutheran worship and ecumenism, the growing similarities in liturgical worship between Catholics and Lutherans help to explain the Lutheran reception of the Joint Declaration.

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[164] Senn, *Liturgy*, 641.

The Finnish School, the New Perspective on Paul, and liturgical reform were three movements within twentieth-century Lutheranism that help reveal the of orientation of the two communions towards each other on the eve of the Joint Declaration. The Finnish School and New Perspective upset traditional Lutheran conceptions of justification, and enabled re-readings of the doctrine that were closer to the mainstream Catholic view. The renewed forms of high-church worship came to resemble those of Catholic worship. While, it is unlikely that these movements intentionally and explicitly caused ecumenical dialogue, they created an environment conducive to Lutheran-Catholic agreements such as the one seen in the Joint Declaration. Without these developments, and the similar ones within the life of the Catholic Church, it is questionable whether the Joint Declaration would have been possible.

The church officials responsible for the acceptance and rejection of the two documents did not exist as ahistorical, objective theological interpreters, but were products of the historical circumstances surrounding them. That the circumstances surrounding the Joint Declaration were favorable for reconciliation and those surrounding the Regensburg Colloquy were so unfavorable supports the suggestion that the two documents are only imperfectly analogous.

Conclusion

The theologies of and historical circumstances surrounding the Joint Declaration and Article V of the Regensburg Colloquy contributed to their reception and affects the conclusions that can be drawn by their respective approval and rejection. The two documents are only imperfectly analogous. Comparison of the two that uncritically regards them as exact benchmarks of theological convergence are wrongheaded. Regensburg was a definitively more

'Protestant' document in that it emphasized an imputed, declarative righteousness as the basis of God's acceptance of the believer. This theological orientation was unacceptable even to the broad orthodoxy of pre-Tridentine Catholic thought on justification. Additionally, Rome's precarious position on the eve of the Regensburg Colloquy was not conducive to dialogue as well, as Catholic leadership feared both the chance of a German religious settlement without Rome's approval and the possibility of further isolating loyal German Catholics. On the Protestant side, prominent Lutherans disagreed on the expectations of dialogue, some regarding it as chance at authentic religious reconciliation, while others saw a soapbox from which to publicly preach the Lutheran gospel.

The Joint Declaration was ambiguous enough on the specific questions of justification to be mutually acceptable, and it did not go nearly as far Regensburg did in clearly identifying imputed righteousness as the basis of divine acceptance. The Joint Declaration occurred within a very different theological climate than Regensburg did, as well. The Finnish School, the renewal of High Church forms of worship in Protestantism, the New Perspective on Paul, and rise of Catholic scholarship on Luther suggest that twentieth-century Western Christianity was not as embattled by polemics as the Reformation Christianity was, but was prepared to reread and consider again their paradigms describing salvation. While this is indeed a broad generalization, the extent to which these developments appear in both scholarly writing and in the life of the churches permits the characterization of them as authentic developments. The historical circumstances surrounding these two documents suggests that their acceptance and rejection cannot be seen as a perfectly objective metric by which to judge Lutheran-Catholic convergence, as the two eras were more or less conducive to ecumenical dialogue. Rinderknecht explains this

as well in claiming that this comparison "collapses the historical distance between 1540 and 1999 and fails to attend to the differences of genre, political situation, and ecclesiological presuppositions between the two."[165]

Simply that the Regensburg-Joint Declaration comparison is not a theological litmus test on justification does not mean that it is not revealing of Catholic and Lutheran thought, however. How the two agreements seek to reconcile imputed and imparted righteousness reveal fundamentally different approaches to doctrine. Throughout this essay, I have characterized the Joint Declaration as vague and ambiguous on various questions related to justification. While this is a reasonable assessment of the document, the Joint Declaration's ambiguity must be understood in light of its methods. Where Regensburg sought to reconcile differing doctrinal propositions about justification by explicitly identifying what it is and isn't true, the Joint Declaration saw Catholic and Lutheran doctrines of justification not as competing statements making a claim about reality, but rather as "habitual forms of expression."[166]

The Joint Declaration's approach aligns with contemporary theories of how religious doctrines function, especially those of Charles Lindbeck. In *The Nature of Doctrine*, Lindbeck advocated a "cultural-linguistic understanding of religion."[167] He suggested that "just as a language … is correlated with a form of life, and just as culture has both cognitive and behavioral dimensions, so it is also the case of a religious tradition."[168] For Lindbeck, religions

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[165] Rinderknecht, *Differentiated Consensus*, 157.

[166] Ibid., 220.

[167] George Lindbeck, *The Nature of Doctrine: Religion and Theology in a Postliberal Age* (Louisville: Westminster John Knox, 2009), 77.

[168] Ibid., 19.

involve a communal and linguist framework to guide spiritual thought and practice. In this view, doctrines function essentially as rules and "authoritative paradigms" governing the religious experience of adherents of a particular faith.[169] Doctrines are more "intrasystematic [claims] rather than ontological truth claims."[170] As the language employed by doctrinal statements only exist within the cultural and linguistic framework of the religious community, what is essential to ecumenical dialogue is not so much a commonality in expression, but the analogous functions doctrines play within the religious communities. If this view is accepted, then religious reconciliation does not require theological gymnastics to diminish the differences between communities; it requires only that doctrines are shown to have similar functions in guiding the thought and practice of the faithful. In this framework, Catholics and Lutherans must "recognize in the other a theology that is not what was condemned by the parties of the sixteenth century."[171] A singe common statement, as provided by the Joint Declaration, serves as the basis of ecumenical progress not in that it "collapse[s] the theology of either church into a single transconfessional consensus," but rather that it straddles the cultural-linguist communities by evidencing how the two regulate the thought and behavior of their respective communities similarly on a particular issue, even if their doctrinal formulations differ.[172] In such a framework, divergent theological paradigms can be reconciled without one side capitulating to the other.

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[169] Lindbeck, *Nature of Doctrine*, 82.

[170] Ibid., 66.

[171] Rinderknecht, *Differentiated Consensus*, 250.

[172] Ibid.

Though it contains no explicit mention of Lindbeck or his theories, the Joint Declaration's final text reflects a cultural-linguist approach. As discussed earlier, the Joint Declaration does not handle Catholic and Lutheran doctrines on justification and righteousness as competing propositions that need to be negotiated and reconciled, but rather seeks to demonstrate that the practice and thought that is guided by these doctrinal statements are similar. The Joint Declaration's discussion of assurance of salvation especially reveals this method. The Lutheran section suggests that assurance was "emphasized in a particular way by the Reformers" that exhorted believers to "not look to themselves but [to] look solely to Christ" when faced with doubts (*JD* §35). Here, the Lutheran doctrine on assurance is expressed primarily as a particular emphasis seeking to affect religious practice. The ultimate end of the Lutheran doctrine on assurance, as the Joint Declaration expresses it, is not so much to express a divine truth, but to exhort the faithful to trust wholly in God's promises. This closely aligns with Lindbeck's vision of doctrines as rules governing the life of the faithful. The Catholic section similarly claims that Catholics "share the concern of the Reformers to ground faith in the objective reality of Christ's promise, to look away from one's own experience, and to trust in Christ's forgiving word alone" (*JD* §36). Here, the consensus between Catholics and Lutherans on assurance is grounded on similar concerns for the faithful and their lived experience, not a total agreement on ontological truth or expression. Though the Joint Declaration may at times appear hesitant or ambiguous, this is not born out of desire to negate theological nuance, but rather to identify different strategies by which the two church's doctrines address common concerns.

In contrast, the Regensburg text reveals a different understanding of the nature of doctrine. In declaring that justification occurs on the basis of righteousness "imputed to us on

account of Christ and his merit, not on account of the worthiness or perfection of the righteousness imparted to us in Christ," the Regensburg writers declared a winner, so to speak, between the competing Lutheran and Catholic claims about justification (*RC* §6). For them, doctrines are not habitual modes of expression, but are rather ontological propositions. Lindbeck referred to this understanding of doctrine as cognitive-propositionalist religion, in which "doctrines function as informative propositions or truth claims about objective realities."[173] In this framework, ecumenical agreements must mediate the two competing doctrinal statements and either reveal them to be not mutually exclusive or subvert one view to the other. In calling imputed righteousness the true basis of God's acceptance, Regensburg sided with the Lutheran view.

Critics disappointed that the Joint Declaration does not explicitly address some of the traditional questions associated with justification reveal expectations that the Joint Declaration never intended to meet. While such a critique is entirely appropriate under a propositionalist view, it is incongruous with the Joint Declaration's cultural-linguistic leaning. How one evaluates the Joint Declaration is dependent upon their assumptions about doctrine and how they might be reconciled. Consequently, the extent to which justification remains as a church-dividing issue today depends upon the prominence of cultural understandings of religion.

While some scholars are quick to compare the Joint Declaration and Regensburg Colloquy to judge justification's schismatic function, few compare these texts as in light of Lindbeck's model. Though comparing the two documents is not a perfect litmus test for understanding how justification as changed in western Christianity, they do provide a

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[173] Lindbeck, *Nature of Doctrine,* 2.

background on how fundamental assumptions of religion have changed. The absence of Lindbeckian thought in the Regensburg text and its implicit presence within the Joint Declaration does indeed evidence the rise of the cultural-linguistic model in Western Christianity. Though this model is indeed a very recent development, its appearance in a document receiving recognition from two of the largest religious groups in the world attests to its prominence today.

Another issue at hand is that the legacy of the Joint Declaration is still being reckoned. As mentioned above, Catholic and Protestant scholars, like Anthony Lane and Christopher Malloy, have considered at length the value of the Joint Declaration for church unity and the future of ecumenism. However, the Joint Declaration has entered more popular literature targeted at laypeople as well. Since the beginning of research for this essay began in early 2017, a significant amount of popular literature assessing the Joint Declaration has appeared. Catholic writer Peter Kreeft lauded the Joint Declaration as a "truly miraculous achievement"; he excitedly declared that:

> the single greatest obstacle to reunion, by far the most important religious difference between Protestants and Catholics, has essentially been overcome. Goliath is slain; it remains only to slay the other, smaller Philistines. There are many of them, but none are as big as Goliath.[174]

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[174] Peter Kreeft, *Catholics and Protestants: What Can We Learn from Each Other?* (San Francisco: Ignatius, 2017), 17.

On the other hand, Protestant writers such as Kenneth Collins and Jerry Walls suggest that in the Joint Declaration, justification "has been eviscerated … [by] the ecumenical enterprise itself."[175] The results of this public reckoning of the Joint Declaration very well may be crucial in determining if the Joint Declaration will actually affect the lived experience of churchgoers.

Outside of the public reckoning, the Joint Declaration has continued to gain traction as ecumenical agreement. Though it was indeed a bilateral agreement, other Christian groups have sought to associate themselves with the agreement. In 2006, the World Methodist Council affirmed the Joint Declaration, asserting that the agreement "corresponds with Methodist Doctrine."[176] In July of 2017, the World Communion of Reformed Churches formally associated itself with the Joint Declaration because of their "fundamental doctrinal agreement with the teaching" of the agreement.[177] The very function of the Joint Declaration is changing; rather than merely being an agreement between the two parties at the heart of the Reformation schism, it now acts as an interdenominational agreement between Protestants as well.

In light of the increasing ecumenical agreements surrounding the Joint Declaration, a salient question needs to be addressed. Functionally speaking, what is actually keeping Catholics and Lutherans divided? If justification truly was the Reformation's central conflict, then should not the mutual acceptance of the Joint Declaration at the highest levels have facilitated the

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[175] Kenneth J. Collins and Jerry L. Walls, *Roman but Not Catholic: What Remains at Stake 500 Years after the Reformation* (Grand Rapids, Baker Academic, 2017), 351.

[176] "The World Methodist Council Statement Of Association With The Joint Declaration On The Doctrine Of Justification," World Methodist Council, accessed January 8th, 2018, http://worldmethodistcouncil.org/resources/ecumenical-dialogues/wmcs-statement-of-assocation-with-the-joint-declaration-of-the-doctrine-of-justification/, §2.

[177] World Communion of Reformed Churches, *Association of the World Communion of Reformed Churches with the Joint Declaration on the Doctrine of Justification* (2017), 7.

restoration of full communion? As rightfully enthused by the Joint Declaration as Peter Kreeft is, he fails to consider that the spark of schism may not necessarily be the paramount factor sustaining schism. As mentioned above, though the Reformation turned a particular spotlight on justification, this paradigm is not the primary way of expressing the Catholic theology of salvation, nor is it at the center of Catholic life. The biggest obstacle perhaps lies elsewhere.

As uncharitable as Kenneth Collins and Jerry Walls' reading of the Joint Declaration is, they rightfully observe that behind all Catholic-Protestant dialogue looms the issues surrounding the sources of doctrine and the nature of the Church. Despite any doctrinal reconciliation, the Catholic and Lutheran means of doing theology and formulating doctrine remain incompatible. The Catholic Church claims to be authoritative on the basis of apostolic succession; the authority given by Jesus to the Apostles is passed on in ordination and persists in the Church today.[178] Consequently, the Catholic Church not only consults scripture in forming doctrine, but turns also to Catholic tradition. Collins and Walls observe that this magisterial "ecclesiology appears to pervade everything" in Catholic thought and religion and suggest that Catholic magisterial authority is the "metanarrative of the Roman Catholic Church."[179] No analogous concept exists within Lutheranism; *sola scriptura* remains the guiding rule of Protestant theology. If the end goal of ecumenical dialogue is full-communion relations between Catholics and Lutherans, then the seemingly incompatible ways of forming religious thought must be addressed. As Catholic theology is guided by the Catholic Church's claims to absolute doctrinal authority, the chances of an agreement on this issue that does not involve the submission of one model to the other seem

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[178] *CCC* §77

[179] Collins and Walls, *Roman but Not Catholic*, 354.

slim. This issue seems to constitute an even larger obstacle to full communion than differences on justification present (or presented).

The diversity of other Catholic-Lutheran dialogues and mutual statements not relating to justification must not be neglected either. In regards to ecclesiology, *Apostolicity of the Church* and *Church and Justification* studied the differences between the two communions.[180] Others have addressed the sacramental differences, namely the 1978 document, *Eucharist.*[181] While these documents have highlighted the similarities and remaining issue between Catholics and Lutherans, these studies cannot be considered comparable to the Joint Declaration, in that none of them make analogous statements regarding the non-applicability of Reformation-era condemnations. Thus, no formal opinions regarding the extent to which sacramental and ecclesiological remain church-dividing issues exist. Justification today exists as a categorically different subject, as official statements regarding its relevance to continued schism have been issued in the Joint Declaration (assuming the authority of the statement is accepted).

As for Regensburg, the ill-fated agreement may yet find new life as a case study in how religious developments never occur in a vacuum. As commonly as Protestants may critique the Catholic Church as "marred by zeal for political power," they may be struck by the extent to which their participation at the Regensburg colloquy was more politically opportunistic than humble, and how the Protestants present at the colloquy were embattled with their own strategic

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[180] Lutheran World Federation and Pontifical Council for Promoting of Christian Unity, *From Conflict to Communion: Lutheran-Catholic Common Commemoration of the Reformation in 2017* (Leipzig, Evangelische Verlagsanstalt, 2013), 79.

[181] Ibid., 58.

interests.[182] The recent 500th anniversary of the Reformation coincided with renewed enthusiasm for the movement amongst many Protestants. The popular evangelical website Desiring God romantically lauded the Reformation as a "massive movement of Christian conviction, boldness, and joy."[183] Such idealized notions about the Reformation fail to account for the political world that drove and solidified schism. The divergent motivations of Protestants at the Regensburg Colloquy and their own politicking with German nobility had ought to have a sobering effect on Protestant readings of the movement. Indeed, a wider discussion about the very nature of the Reformation is called for. The extent to which the political and social factors problematize the characterization of the Reformation of a purely religious development is a worthwhile question that is unfortunately beyond the scope of this project.

Article V of the Regensburg Colloquy and the Joint Declaration on the Doctrine of Justification are ultimately only imperfectly analogous texts. The theologies they express are incongruous and the historical circumstances surrounding them also shaped their reception. Nevertheless, a comparison of the two reveals how fundamental assumptions about the nature of doctrine are shifting, specifically, in how Regensburg and the Joint Declaration harmonize imputed and infused righteousness. It is impossible speak with certainty on whether justification truly divides Catholics and Lutherans today. The two communions offer different preaching on the subject. If reconciliation requires identical preaching, then it is doubtful that reconciliation has been achieved. If, however, reconciliation requires only that the Churches teach non-contradictory theologies, then the Joint Declaration may indeed serve as the basis for authentic

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[182] Collins and Walls, *Roman but Not Catholic*, 139.

[183] "Here We Stand," Desiring God, accessed January 8th, 2018, https://www.desiringgod.org/here-we-stand.

ecumenical healing. While a perfect assessment of justification's church-dividing effect is impossible, as it depends on the expectations of those leading the two communions at any given moment, it is not too bold to say that the framework for disarming the justification conflict now exists.

Although justification was of paramount importance for the Reformation schism's initiation, it may not be the preeminent factor maintaining the schism of Western Christianity. Ecclesiology and the relationship between scripture and tradition will likely act as greater obstacles to full communion than justification does. On the 500th anniversary of the Reformation, the temptation is to dramatize the issues at its core. Though justification may have been Luther's passion, a sober assessment of the role that other topics play in maintaining schism is appropriate and necessary for the future of ecumenical progress.

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